

CITY OF SAN ANTONIO

Zoning Commission Agenda

Board Room
First Floor, Development Business Service Center
1901 S. Alamo

September 6, 2005
Tuesday, 11:30 A.M.

ZONING COMMISSIONERS

Gilbert Kissling – District 1	James Gray – District Mayor
Jureta Marshall – District 2	Jody Sherrill – District 7
Joe Farias – District 3	Dr. Morris A. Stribling – District 8
Henry Avila – District 4	James McAden – District 9
Eiginio Rodriguez – District 5	Robert R. Robbins – District 10
Christopher R. Martinez – District 6	
Chairman	

1. **Work Session presentation by zoning staff to discuss zoning case recommendations and other items for consideration on agenda for September 6, 2005, at 11:30 A.M. Tobin Room, 1901 S. Alamo, Development Business Services Center.**
2. Call to Order – Board Room – 1:00 PM.
3. Roll Call.
4. Pledge of Allegiance.
5. Director's Report.
6. Approval of August 16, 2005 Minutes.
7. **ZONING CASE NUMBER Z2005204:** The request of City of San Antonio, Applicant, for Multiple Owners, Owner(s), for a change in zoning from "R-4" Residential Single-Family District and "R-5" Residential Single-Family District and "MF-33" Multi-Family District to "NP-8" Neighborhood Preservation Districts and "NP-10" Neighborhood Preservation District, located at Harry Wurzbach to the east, Eisenhower Road the south, Broadway to the west, and Loop 410 to the North.
(Council District 10)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.

8. **ZONING CASE NUMBER Z2005202:** The request of City of San Antonio, Applicant, for Multiple Property Owners, Owner(s), for a change in zoning from “I-1” General Industrial District and “MF-33” Multi-Family District to “R-6” Residential Single-Family District, “R-6” S Residential Single-Family District with a Specific Use Permit for a Wireless Communication Tower, “MF-25” Multi-Family District, “C-1” Light Commercial District, “C-1” C Light Commercial District with a Conditional Use for Light Auto and Truck Repair, “C-1” C Light Commercial District with a Conditional Use for a Sound and Recording Studio, “C-1” S Light Commercial District with a Special Use Permit for a Bar/Tavern, “C-2” Commercial District, “C-2” S with a Special Use Permit for a Reception Hall/ Meeting Facility, “C-3” General Commercial District, “C-3” S General Commercial District with a Specific Use Permit for Auto Paint and Body, and “C-3” C General Commercial District with a Conditional Use for an Outdoor Flea Market on 4935 through 5719 West Commerce Street.
(Council District 5)
9. **ZONING CASE NUMBER Z2005142:** The request of Bill Miller Bar-B-Q Enterprises, Inc./ Douglas W. Miller, Applicant, for Bill Miller Bar-B-Q Enterprises, Owner(s), for a change in zoning from “C-2” ERZD Commercial Edwards Recharge Zone District to “C-3” ERZD General Commercial Edwards Recharge Zone District on Lot 6, Block 2, NCB 14757, 7319 North Loop 1604 West.
(Council District 8)
10. **ZONING CASE NUMBER Z2005167 S:** The request of Leif Zars, Applicant, for Medlin Properties Ltd., Owner(s), for a change in zoning from “R-6” ERZD Residential Single Family Edwards Recharge Zone District to “C-3” S ERZD General Commercial Edwards Recharge Zone District with Specific Use Permit for a Contractor's Facility on Lot 2, NCB 17866, 18952 Redland Road. (Council District 9)
11. **ZONING CASE NUMBER Z2005191 S:** The request of Texas Shine Express, LLC, Applicant, for Shops of Stone Oak, LP, Owner(s), for a change in zoning from: "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with Specific Use Permit for a Car Wash on 1.0958 acres out of NCB 19223. 19000 Block of Huebner Road.
(Council District 9)
12. **ZONING CASE NUMBER Z2005199:** The request of Jorge Garcia, Applicant, for Jorge Garcia, Owner(s), for a change in zoning from “C-2” Commercial District to “C-3” General Commercial District on the south 86.55 feet of Lots 1 and 2, Block 11, NCB 2071, 1705 North Elmendorf.
(Council District 1)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.
13. **ZONING CASE NUMBER Z2005201:** The request of Friedrich Lofts, Ltd., Applicant, for Friedrich Lofts, Ltd., Owner(s), for a change in zoning from (HS) “I-1” Historic, Significant, General Industrial District to (HS) “IDZ” Historic, Significant, Infill Development District on 5.731 acres out of NCB 593 and 595, 1617 and 1631 East Commerce Street. (Council District 2)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.

14. **ZONING CASE NUMBER Z2005203 CD:** The request of Victor Rayas, Applicant, for Victor Rayas, Owner(s), for a change in zoning from “I-1” General Industrial District to “C-2P” (CD Auto Repair) Commercial Pedestrian District with a Conditional Use for Auto Repair on Lot 11, Block 44, NCB 350, 233 East Fredericksburg Road. (Council District 1)

A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
15. **ZONING CASE NUMBER Z2005206:** The request of Stuart Thomajan, Applicant, for Stuart Thomajan, Owner(s), for a change in zoning from “R-5” Residential Single-Family District to PUD “R-5” Planned Unit Development Residential Single-Family District on 1.003 acres out of NCB 11889, 234 East Sunset Road. (Council District 9)

A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
16. **ZONING CASE NUMBER Z2005157:** The request of Brown, P. C., Applicant, for John William Judson, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “BP” Business Park District on 31.881 acres out of NCB 17504 and NCB 14862, 12303 Silicon Drive. (Council District 8)
17. **ZONING CASE NUMBER Z2005177:** The request of Earl & Associates, P. C., Applicant, for Canyon Ranch, Ltd., Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “C-2” Commercial District on 3.225 acres out of NCB 34479, east of the intersection of Braun Road and Wildhorse Parkway. (Council District 7)
18. **ZONING CASE NUMBER Z2005180:** The request of Milton Zaiontz, Applicant, for Milton Zaiontz, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “R-5” Residential Single-Family District on 37.007 acres out of NCB 15604, generally bound by Dempsey Drive on the north, War Cloud Drive and Big Creek Drive on the west, War Horse Drive on the south, and Leon Creek on the east. (Council District 4)
19. **ZONING CASE NUMBER Z2005195:** The request of Marmom Mok, L. L. P., Applicant, for Oakwell Physicians, Ltd., Owner(s), for a change in zoning from “C-1” Light Commercial District to “C-2” Commercial District on Lot 5, Block 9, NCB 173016, 3338 Oakwell Court. (Council District 10)
20. **ZONING CASE NUMBER Z2005196:** The request of Ismail Sulieman, Applicant, for Ismail Sulieman, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “C-3” General Commercial District on 2.50 acres out of NCB 11156 on the northeast corner of the intersection of Southeast Loop 410 Access Road and Pleasanton Road. (Council District 3)
21. **ZONING CASE NUMBER Z2005197:** The request of Ingroup, Inc., Applicant, for Ingroup, Inc., Owner(s), for a change in zoning from “C-2” Commercial District to “R-5” Residential Single-Family District on Lot 1 and Lot 2, Block 1, NCB 16111, 5500 Block of Ingram Road. (Council District 7)

22. **ZONING CASE NUMBER Z2005200:** The request of Carlos Rodriguez, Applicant, for Carlos Rodriguez, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “MF-25” Multi-Family District on Lots 12 and 13, NCB 8355, 3120 West Durango Boulevard. (Council District 5)
23. **ZONING CASE NUMBER Z2005205:** The request of Paul Bishop, Applicant, for PRS Realty II, L.P., Owner(s), for a change in zoning from “C-3R” Restrictive Commercial District to “RM-4” Mixed Residential District on 7.004 acres out of NCB18159, Southwest corner of Marbach Road and Hunt Lane. (Council District 4)
24. **ZONING CASE NUMBER Z2005207:** The request of Trisun Healthcare, Applicant, for Green Land Properties, Ltd., Owner(s), for a change in zoning from “C-2” Commercial District to “MF-33” Multi-Family District on P-144, NCB 13665, south corner of the intersection of North Knoll and North Hollow. (Council District 8)
25. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
26. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245

CASE NO: Z2005142

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Zoning Commission continuance from July 5, 2005 and August 2, 2005

Council District: 8

Ferguson Map: 513 E5

Applicant Name:

Owner Name:

Bill Miller Bar-B-Q Enterprises, Inc./
Douglas W. Miller

Bill Miller Bar-B-Q Enterprises

Zoning Request: From "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District.

Property Location: Lot 6, Block 2, NCB 14757

7319 North Loop 1604 West

Northside of North Loop 1604 West between Babcock Road and White Fawn Drive

Proposal: Motel/Hotel

Neigh. Assoc. Hills and Dales Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

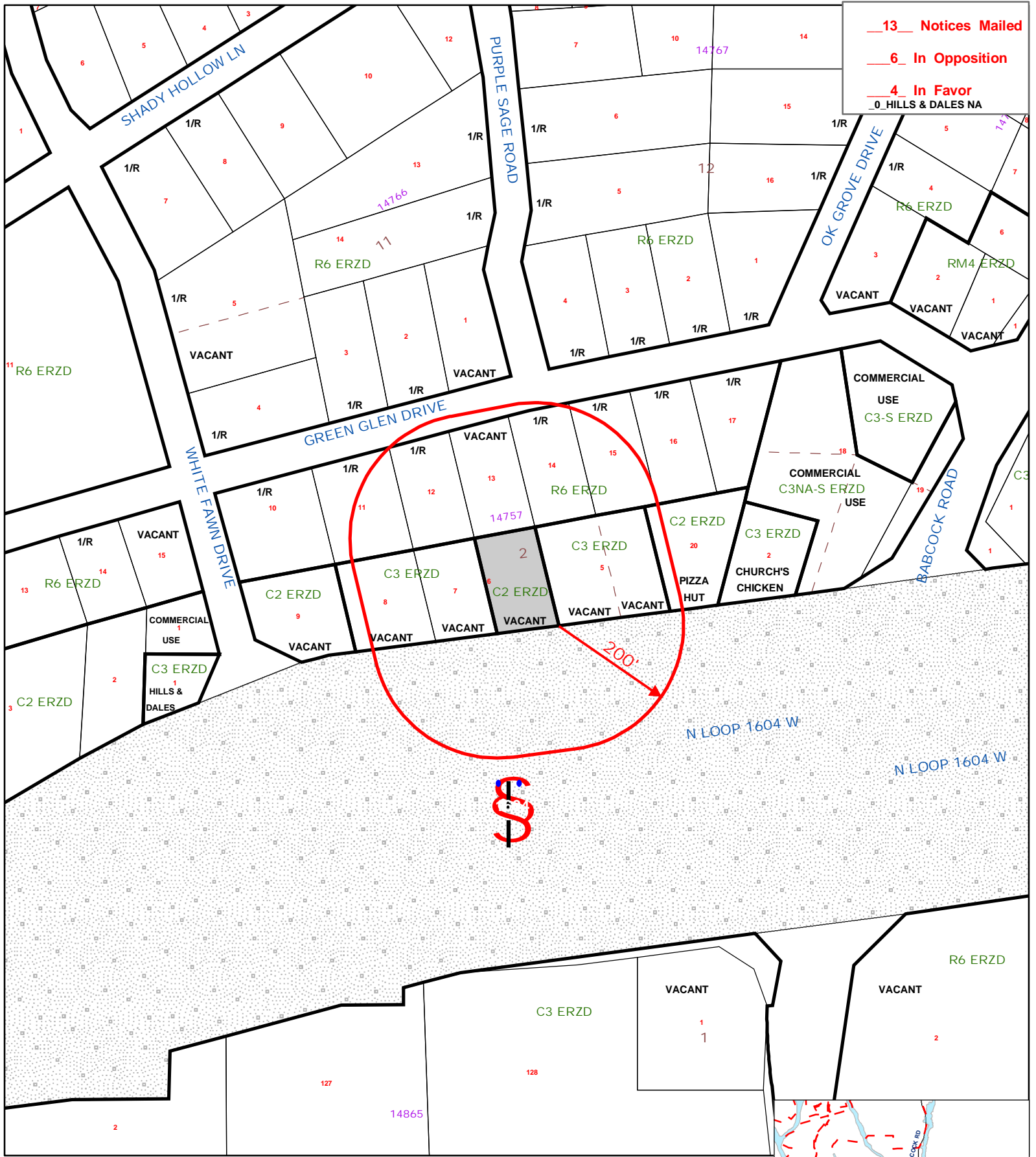
The subject property is undeveloped and located on North Loop 1604 West. The subject property is adjacent to "C-3" ERZD General Commercial Edwards Recharge Zone District to the west, east and "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to the north. The "C-3" ERZD General Commercial Edwards Recharge Zone District would be appropriate at this location. Staff's recommendation of approval is based on the site evaluation of the property by the San Antonio Water System (SAWS). Intensive "C-3" commercial uses are prohibited within the ERZD.

Edwards Recharge Zone District Summary

1. SAWS recommends approval of the proposed land use.
2. This site is a Category 2 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 65%.

CASE MANAGER : Pedro Vega 207-7980

13 Notices Mailed
 6 In Opposition
 4 In Favor
 0 Hills & Dales NA



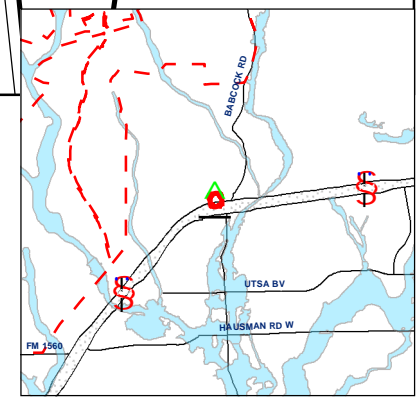
ZONING CASE: **Z2005-142**

City Council District NO. 8
 Requested Zoning Change
 From "C-2" ERZD To "C-3" ERZD
 Date: September 6, 2005
 Scale: 1" = 200'

Subject Property
 200' Notification



C:\June_7_2005



**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

DEV. SERVICES

To: Zoning Commission Members

2005 JUN 22 P 2:35

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Michael Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2005142

Date: June 22, 2005

SUMMARY

A request for a change in zoning has been made for an approximate 0.37 acre tract located on the city's northwest side. A change in zoning from **C-2 ERZD** to **C-3 ERZD** is being requested by the applicant, Mr. Chuck Christian. The change in zoning has been requested to allow for a commercial development, such as hotel/motel.

As of the date of this report, an official request for a category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 8, northwest of the intersection of Babcock Road and Loop 1604. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from C-2 ERZD to C-3 ERZD and will allow for the construction of a commercial development. The property is currently an undeveloped lot.

2. Surrounding Land Uses:

A Pizza Hut Restaurant is immediately east of the property. A single-family residential subdivision abuts the property boundary on the north side. The property to the west is currently undeveloped. The property is bounded to the south by Loop 1604 access road.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted an evaluation on June 3, 2005 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation and observed no significant recharge features, although Edwards outcropping was visually apparent. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Cyclic Marine Member of the Edwards Aquifer. Field verification was not possible due to the coverage of alluvium on the site, although float material was observed. According to FEMA Flood Insurance Maps, no part of the subject property is within the 100-year floodplain.

4. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

1. Standard Pollution/Abatement Concerns:

- A. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
- B. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

If the property is rezoned by the San Antonio City Council, then the following conditions shall apply to address the environmental concerns raised by the construction of this development on the Edwards Aquifer

Recharge Zone:

Site Specific

1. The impervious cover shall not exceed 65% on the site.
2. The owner or owner's agent shall inform any person leasing this tract or any portion of this tract that storage of chemicals and/or hazardous materials is not permitted. Provisions prohibiting the storage of chemicals and/or hazardous materials shall be included in the lease agreement. The owner or owner's agent shall be included in the lease agreement. The owner or owner's agent shall provide a copy of the lease provisions regarding the storage of chemicals and/or hazardous materials to the Aquifer Protection Section of the San Antonio Water System for approval. The Aquifer Protection and Evaluation Section of the San Antonio Water System may randomly inspect, without notice, any or all of the facilities on the site to ensure compliance with ordinances.
3. All water pollution abatement structures shall be properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing groundwater pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
5. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

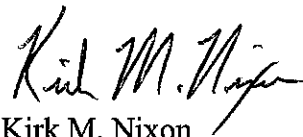
General

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.

2. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
4. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
5. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.
 - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.

6. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
7. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.



Kirk M. Nixon

Manager

Resource Protection Division

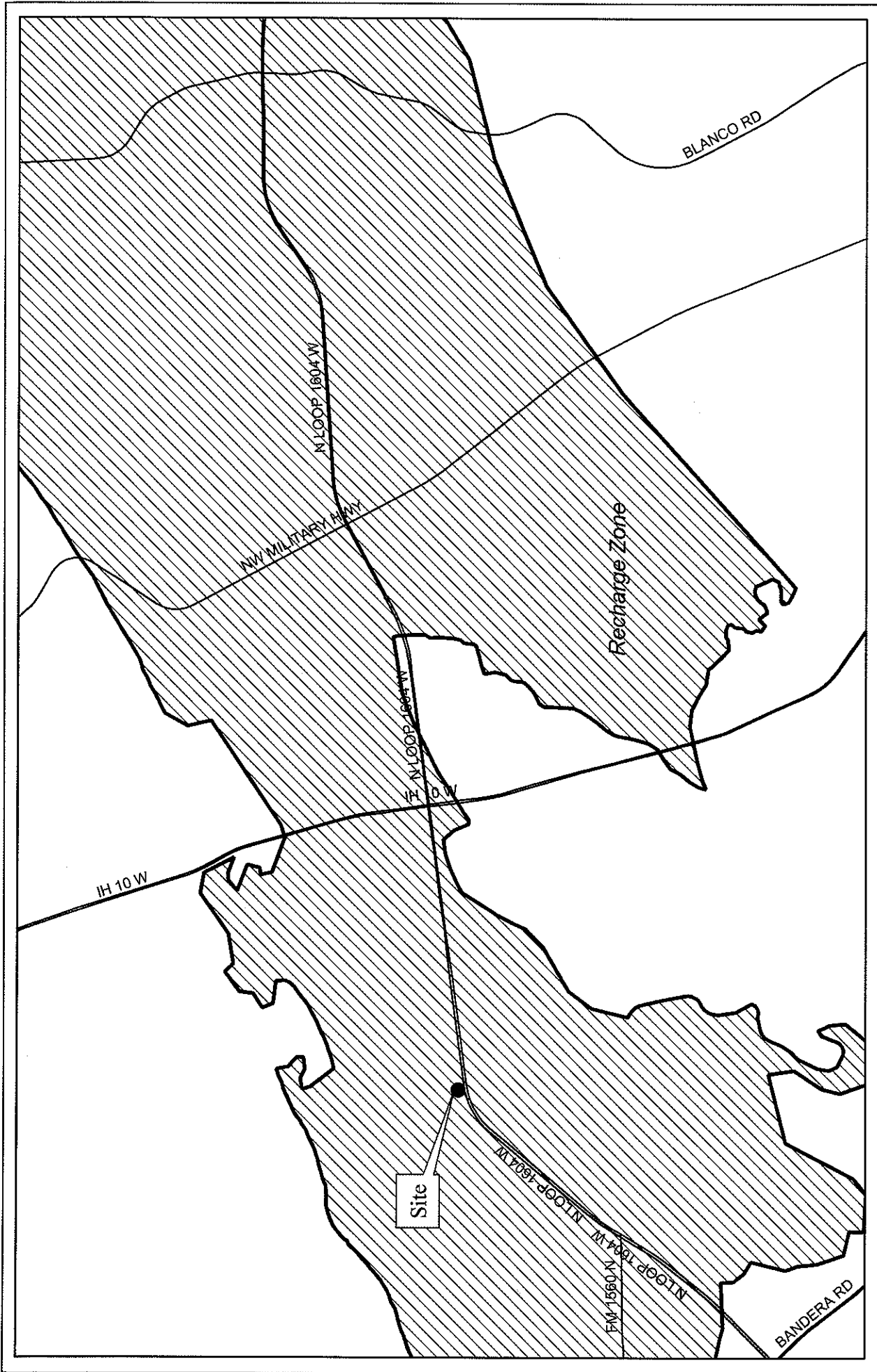
APPROVED:



Scott R. Halty

Director,

Resource Protection & Compliance Department



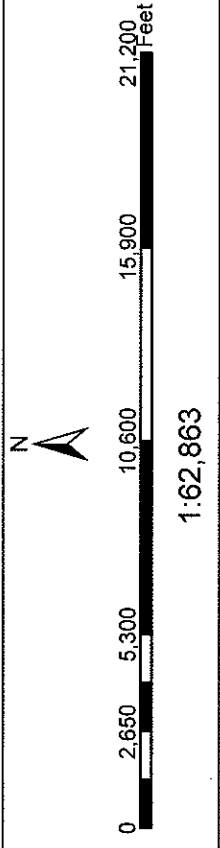
Zoning Case: Z2005142 Figure 1

Motel/Hotel

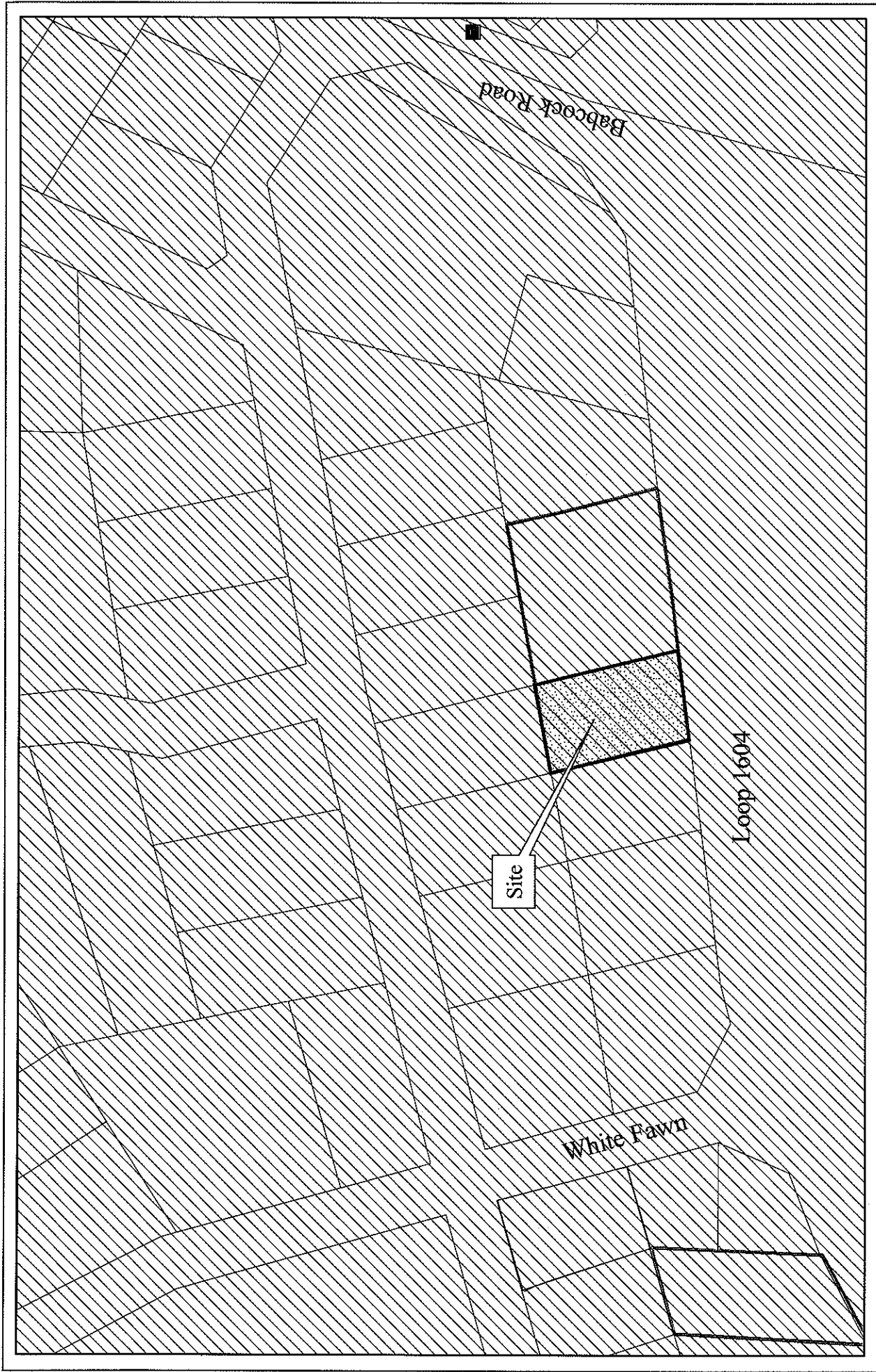
Map Page 513 E5

X = 2085132 Y=13761470

Map Prepared by Aquifer Protection and Evaluation MJB 6/1/2005



1:62,863



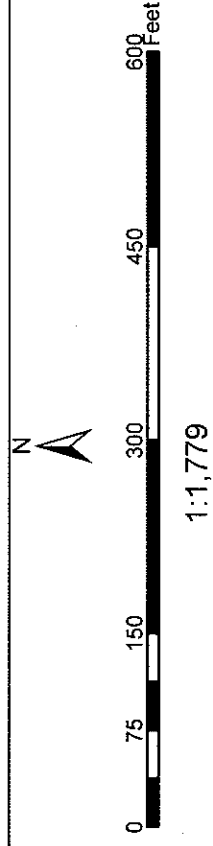
Zoning Case: Z2005142 Figure 2

Motel/Hotel

Map Page 513 E5

X = 2085132 Y = 13761470

Map Prepared by Aquifer Protection and Evaluation MJB 6/1/2005



CASE NO: Z2005157

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Zoning Commission continuance from July 5, 2005 and August 2, 2005

Council District: 8

Ferguson Map: 548

Applicant Name:

Owner Name:

Brown, P. C.

John William Judson

Zoning Request: From "R-6" Residential Single-Family District to "BP" Business Park District.

Property Location: 31.881 acres out of NCB 17504 and NCB 14862

12303 Silicon Drive

South of Silicon Drive and west of Network Boulevard

Proposal: Business Park

Neigh. Assoc. T Road Association and Woodridge Community Association (within 200 feet)

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is required.

Staff Recommendation:

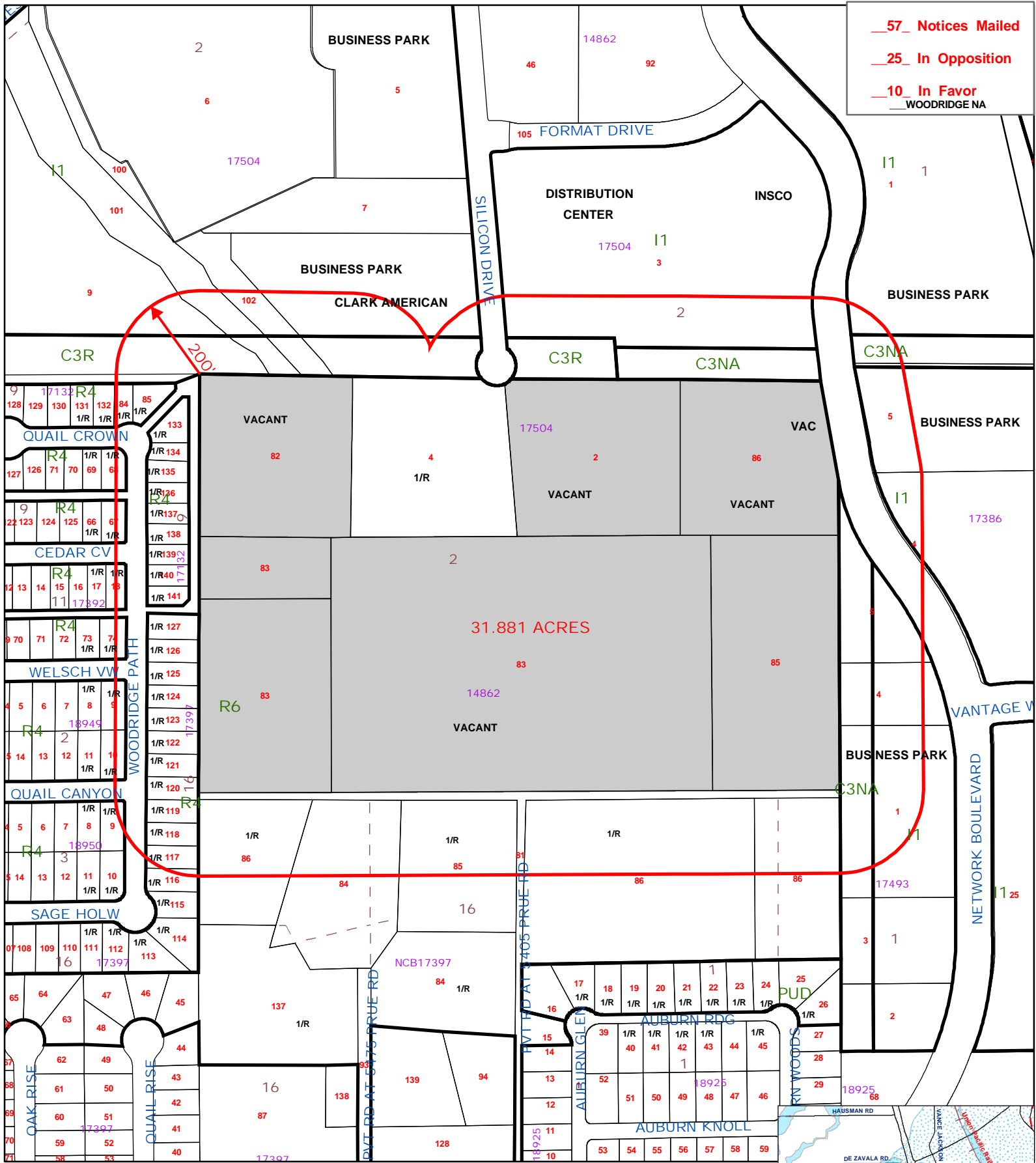
Approval

The subject property is currently undeveloped. The subject property is adjacent to "C-3R" Restrictive Commercial District, "C-3NA" General Commercial, Nonalcoholic Sales District and "I-1" General Industrial District to the north and east. Single-family residences are currently to the west and "R-6" Residential Single-Family District to the south. A single-family residence is located at 12302 Silicon Drive. The "BP" Business Park District would be appropriate at this location. A "BP" Business Park provides employment or civic uses interspersed with open space areas and pedestrian walkways. A "BP" Business Park is designed for business uses which carry on their operation in enclosed facilities in such a manner that no negative impact is created outside of the boundaries of the business park district.

A Business Park District may be located adjacent to any Freeway, Arterial, Principal Arterial or non-residential Collector Street. Silicon Drive and Network Boulevard are non-residential Collector Streets.

CASE MANAGER : Pedro Vega 207-7980

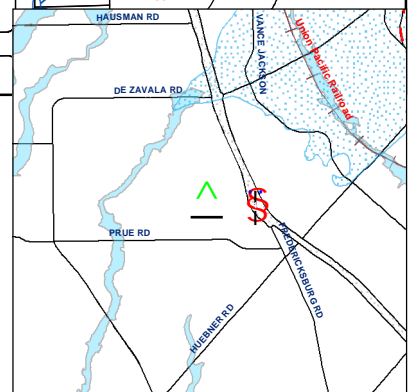
57 Notices Mailed
25 In Opposition
10 In Favor
WOODRIDGE NA



ZONING CASE: Z2005-157

City Council District NO. 8
Requested Zoning Change
From: "R-6" To "BP"
Date: September 6, 2005
Scale: 1" = 300'

Subject Property
200' Notification



CASE NO: Z2005167 S

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Continuance from August 16, 2005

Council District: 9

Ferguson Map: 517 D1

Applicant Name:

Leif Zars

Owner Name:

Medlin Properties Ltd.

Zoning Request: From "R-6 ERZD" Residential Single Family Edwards Recharge Zone District to "C-3 S ERZD" General Commercial Edwards Recharge Zone District with Specific Use Permit for a Contractor's Facility.

Property Location: Lot 2, NCB 17866

18952 Redland Road

North of the intersection of Legend Oaks and Redland Road

Proposal: To allow for a contractor's facility

Neigh. Assoc. Redland Ridge Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required, but may be required at building permit level.

Staff Recommendation:

Approval.

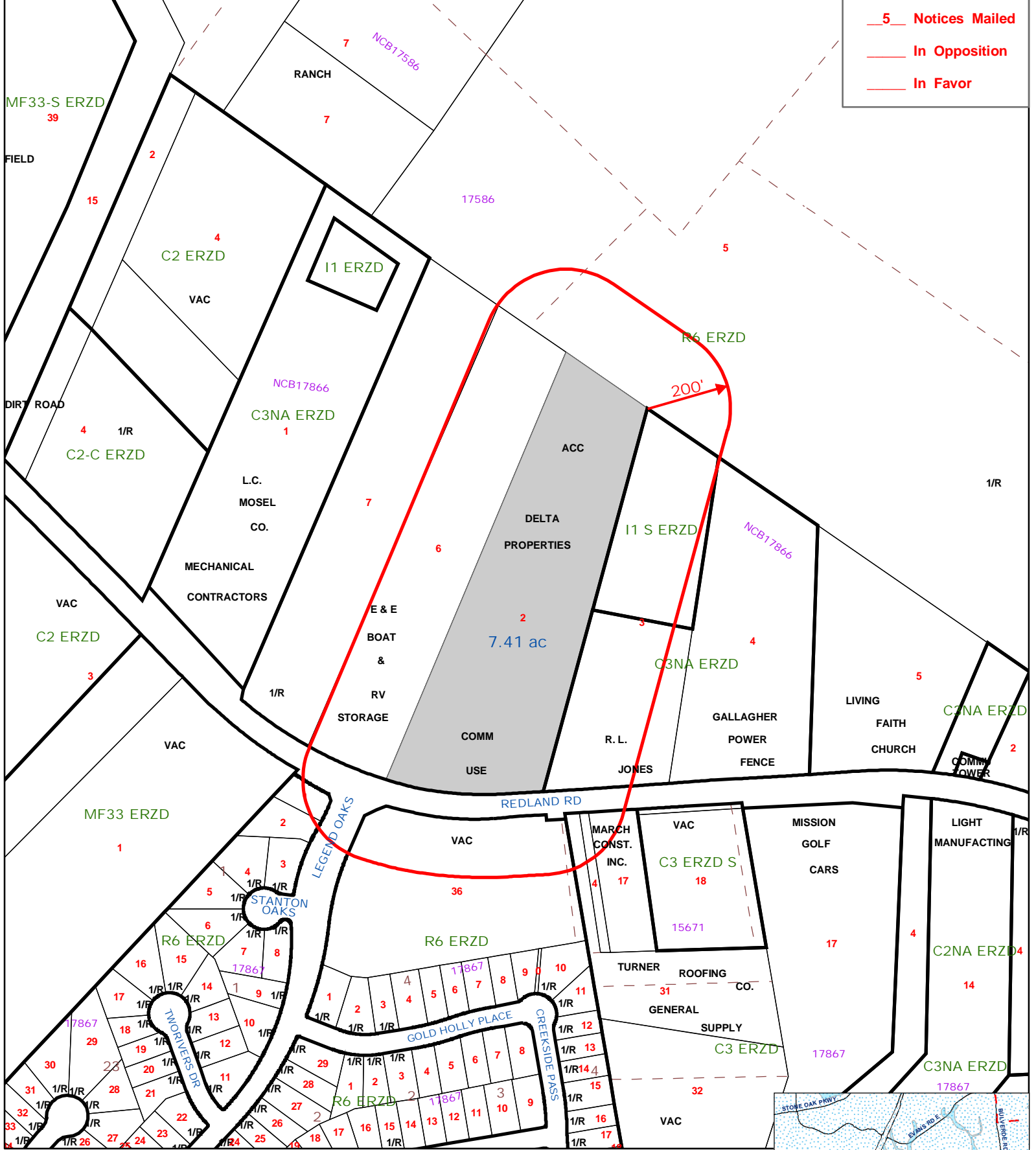
The subject property is currently used for commercial development and is located close to the intersection of Legend Oaks and Redland Road. The subject property was annexed on December 30, 1985 as part of the Redland Oaks Annexation. In 1995 a zoning case was initiated at 18946 Redland Road (the property to the east) for "C-3 NA" ERZD on the front portion and "I-1 S" ERZD with a Specific Use Authorization for a Contractor's Facility on the rear portion of the property. Upon approval of the zoning case, the new zoning districts were placed on the subject property (18952 Redland Road) in error. In 2005, the error was found and corrected. The zoning was changed back to "R-6" Single-Family Residential. The site is currently utilized for a Foreign Language School, Contractor's Facility, and an Insurance Office. All of the tenants have a Certificate of Occupancy except for the Contractor's Facility. The requested zoning change would be appropriate at this location due to the surrounding land uses.

Edwards Recharge Zone District Summary

1. SAWS is recommending Approval of the proposed land use of the contractor's facility without the auto/vehicle repair and maintenance operations.
2. This property is classified as Category 2.
3. The recommended impervious cover limit is 30%.

CASE MANAGER : Robin Stover 207-7945

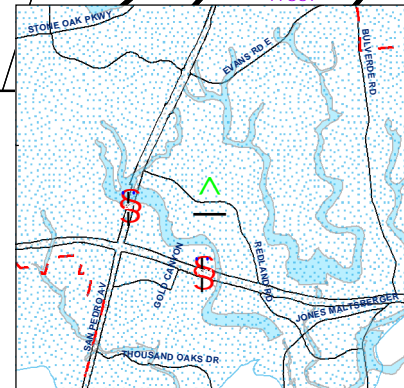
5 Notices Mailed
 — In Opposition
 — In Favor



ZONING CASE: Z2005-167 S

City Council District No. 9
Requested Zoning Change
Form "R-6" ERZD To "C-3 S" ERZD
Date: September 06, 2005
Scale: 1" = 300'

Subject Property
 200' Notification



SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

DEV. SERVICES

2005 AUG -3 A 11: 35

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Karen Schubert, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2005167 (Gary Pools)

Date: August 2, 2005

SUMMARY

A request for a change in zoning has been made for an approximate 7.41-acre tract located on the city's north side. A change in zoning from "**R-6 ERZD**" to "**C-3 S ERZD**" is being requested by the applicant, Mr. Leif Zars. The change in zoning has been requested to allow for the operation of a contractor's office with auto/vehicle repair and maintenance operations. This property is classified as Category 2.

Based on the field observations of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use of the contractor's office without the auto/vehicle repair and maintenance operations. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 9, along the northern side of Redland Road west of U.S. 281. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from R-6 ERZD to C-3 S ERZD and will allow for the operation of Gary Pools contractor's office. The property is currently developed and utilized as a contractor's office with leased office space. This use is not permitted with the current zoning. A private auto maintenance building also exists on the property, which is not a permitted use on the ERZD. Staff visited the Gary Pools contractor's office at its current location (438 Sandau Rd.) to determine any potential environmental concerns that may occur if this operation was to relocate on the ERZD. Vehicle/equipment repair and maintenance is preformed at the current location. Chemicals including oil, antifreeze, and diesel fuel are stored as a result of the maintenance and repair activities. An underground storage tank (UST) is also located at the current Gary Pools site.

Additionally, the warehouse storage facility houses their pipes, fittings, fixtures, pool equipment and chlorinating chemicals. The chlorinating chemicals were in the solid state such as tablets and powder in 5-gal containers. It is proposed that any liquid forms of the chlorinating chemicals will no longer be used or stored at the new site.

2. Surrounding Land Uses:

The majority of the surrounding properties are business, to include RL Jones, a RV and Boat Storage, Turner Roofing. A single-family residential subdivision, Redland Ridge, is immediately south of the site.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted field observations on June 30, 2005 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Ms. Joan Falkenberg, P.G., was present during the field evaluation and observed no sensitive recharge features on the site. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Leached and Collapsed Members of the Edwards Aquifer. The Leached and Collapsed Member is characterized as having the potential for solution feature development and is one of the most permeable of the Edwards Group. It is generally 70 to 90 feet thick in full section. The project site is covered in approximately 8-10 feet of fill material and observation of underlying geology was not possible due to the fill material.

A cave, known as Hurbie cave, is located immediately south of the site. The cave is near the entrance of Redland Ridge Subdivision and is buffered and grated. One well was located on the site. It is currently in operation. An operational septic system was also noted on the site.

Additionally, staff reviewed a Geologic Assessment report provided by the applicant, prepared by John Kniffen of Arias & Kezar Inc., and no sensitive recharge features were discovered on the site. Based on our evaluation, staff is in general agreement with the findings of the Geologic Assessment report. According to FEMA Flood Insurance Maps, no portion of the subject site is located within the 100-year floodplain.

4. Water Pollution Abatement Plan:

The Texas Commission on Environmental Quality approved Medlin Properties Business Park WPAP on August 29, 2001. It is noted that the improvements based on the WPAP as submitted were not fully completed.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

1. Geologic Concerns:

- A. Pollutants may have the potential to enter the groundwater via Hurbie Cave, which is located south of the site across Redland Road. The Cave is partially surrounded by a stone fence as a measure to protect the feature from up gradient stormwater.

2. Site Specific Concerns:

- A. Water entering the warehouse storage facility, and mixing with the chlorinating chemicals.

3. Standard Pollution/Abatement Concerns:

- A. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
- B. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

If the property is rezoned by the San Antonio City Council, then the following conditions shall apply to address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific

1. Stormwater runoff may not be discharged from the site without treatment by BMP's and the stormwater shall be discharged in such a manner as to minimize the potential for possible pollutants from entering the groundwater via Hurbie Cave.
2. Spill containment will be implemented to contain possible spills in the warehouse storage facility and other areas as appropriate. A storage facility shall be designed and approved by the Aquifer Protection and Evaluation Section to prevent the possibility of water mixing with chlorinating chemicals. No liquid chlorine shall be stored on the site.
3. The impervious cover shall not exceed 30% on the site or what presently exists on the site as certified by a licensed engineer.
4. As stated in Chapter 35 of the City Code, auto maintenance is not a permitted use on the ERZD. Maintenance and/or repair of vehicles and/or equipment shall not be permitted on the site.
5. If at anytime the well in use becomes abandoned, it must be properly plugged according to the City Code Chapter 34 Division 2 Section 574 by a registered well driller.
6. If at anytime the septic system on site becomes abandoned, it must be removed according to state and local regulations.

7. The owner or owner's agent shall inform any person leasing this tract or any portion of this tract that storage of hazardous materials is not permitted. Provisions prohibiting the storage of hazardous materials shall be included in any lease agreement should any portion of the property be leased. The owner or owner's agent shall be included in the lease agreement. The owner or owner's agent shall provide a copy of the lease provisions regarding the storage of hazardous materials to the Aquifer Protection Section of the San Antonio Water System for approval. The Aquifer Protection and Evaluation Section of the San Antonio Water System may randomly inspect, without notice, any or all of the facilities on the site to ensure compliance with ordinances.
8. The owner of all water pollution abatement structures shall be properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
9. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. The Owner of the property shall inform each tenant within this development in writing about Best Management Practices (BMP) for pesticide and fertilizer application, should any portion of this property be leased. Preventing groundwater pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
10. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

General

1. Development within the floodplain and floodplain buffer zones must be in accordance with Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone in the Floodplain Preservation Area(s).
2. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
3. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.

4. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
5. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
6. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.
 - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
7. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
8. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

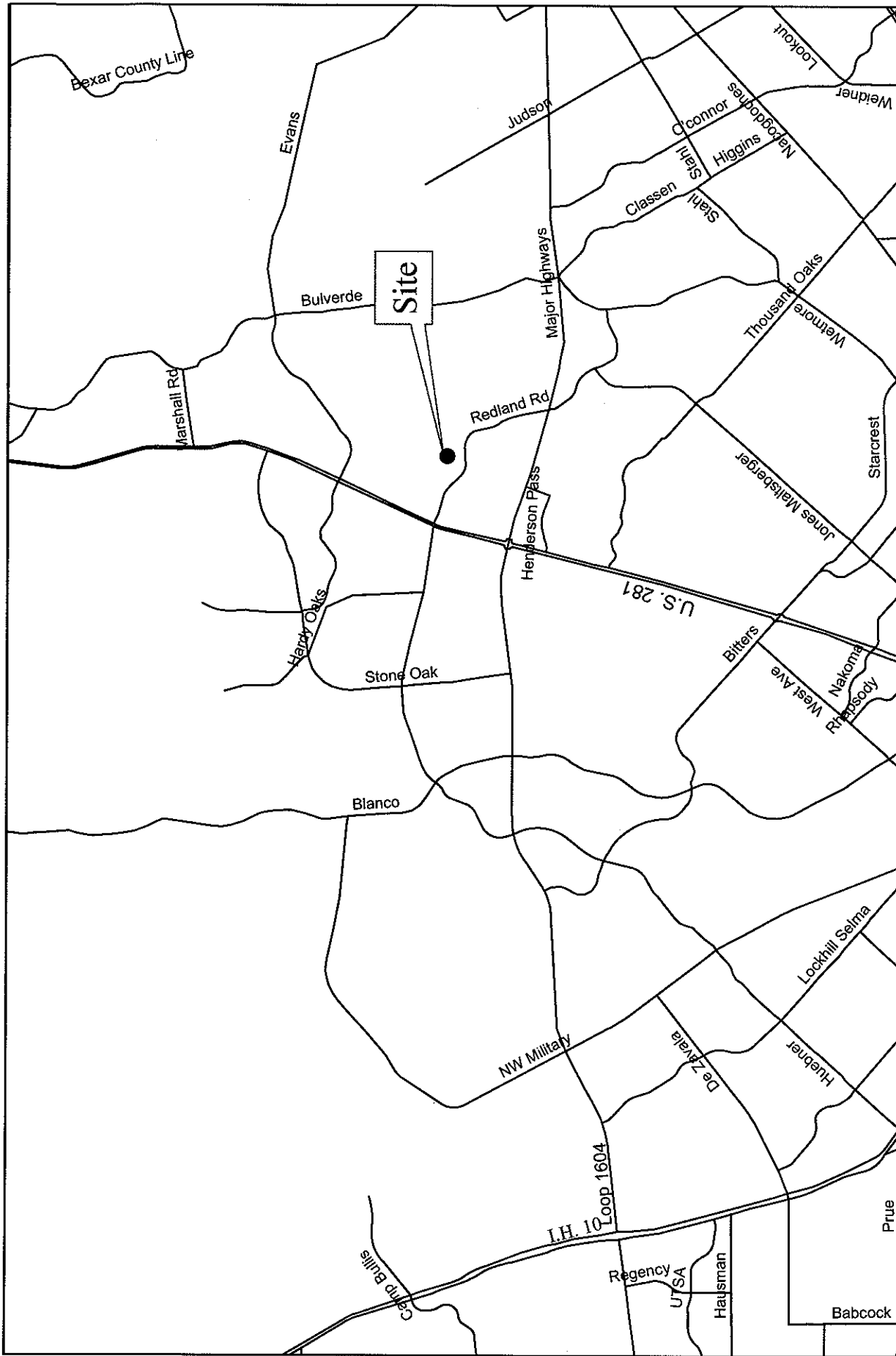
Based on the field observations of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use of a contractor's office without the auto/vehicle repair and maintenance operations. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.


Kirk M. Nixon
Manager, Resource Protection Division

APPROVED:


Scott R. Halty
Director, Resource Protection & Compliance Department

KMN:KJS



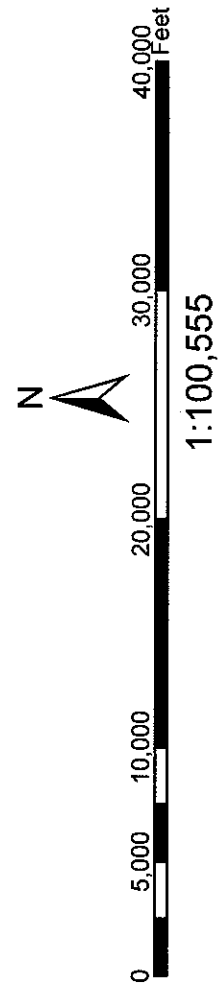
Zoning Case Z2005167 Figure 1

Gary Pools

Map Page 517 D1

X = 2142305 Y=13772529

Map Prepared by Aquifer Protection and Evaluation KJS 6/28/2005





Zoning Case Z2005167 Figure 2

Gary Pools

Map Page 517 D1

X = 2142305 Y = 13772529

Map Prepared by Aquifer Protection and Evaluation KJS 6/28/2005

CASE NO: Z2005177

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Zoning Commission continuance from August 02, 2005

Council District: 7

Ferguson Map: 546 C4

Applicant Name:

Earl & Associates, P. C.

Owner Name:

Canyon Ranch, Ltd.

Zoning Request: From "R-4" Residential Single-Family District to "C-2" Commercial District.

Property Location: 3.225 Acres out of NCB 34479

East of the intersection of Braun Road and Wildhorse Parkway

Proposal: For office/retail use

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is located close to the intersection of Wildhorse Parkway and Braun Road (a major thoroughfare). The property to the south is developed for single-family residential units and the property to the north, west and east is currently undeveloped. This property is not well suited for residential development. Helotes Creek serves as the northern boundary of the property as well as a buffer to the property to the north. "C-2" Commercial District is appropriate at this location.

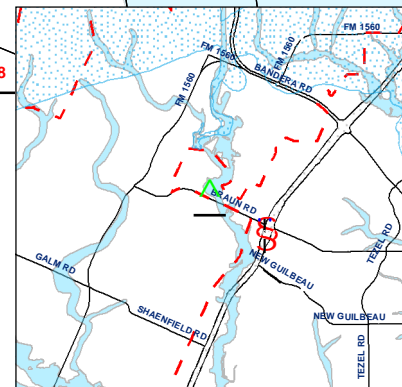
CASE MANAGER : Robin Stover 207-7945

**City Council District No. 7
Requested Zoning Change
From: "R-4" To "C-2"
Date: September 06, 2005
Scale: 1" = 200'**

 200' Notification



C:\Aug 2 2005



CASE NO: Z2005180

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Continuance from August 16, 2005

Council District: 4

Ferguson Map: 680 D1 and 645 D

Applicant Name:

Milton Zaiontz

Owner Name:

Milton Zaiontz

Zoning Request: From "R-6" Residential Single-Family District to "R-5" Residential Single-Family District.

Property Location: 37.007 acres out of NCB 15604

Generally bound by Dempsey Drive on the north, War Cloud Drive and Big Creek Drive on the west, War Horse Drive on the south, and Leon Creek on the east

South of the intersection of Ray Ellison Boulevard and Pearsall Road

Proposal: To develop single-family residential homes

Neigh. Assoc. Hidden Cove/Indian Creek Neighborhood Association and Southwest Community Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval.

The subject property is currently vacant. The surrounding properties to the west and south are developed as single-family residential units. The property to the east is vacant and zoned for residential. The change in zoning would allow for an increase of two units per acre, which brings the total increase on this property to an increase of 74 units. The proposed zoning would allow for residential development on a minimum lot size of 5,000 square feet. Higher density development is recommended within the 410 Loop. This zoning change would be appropriate at this location.

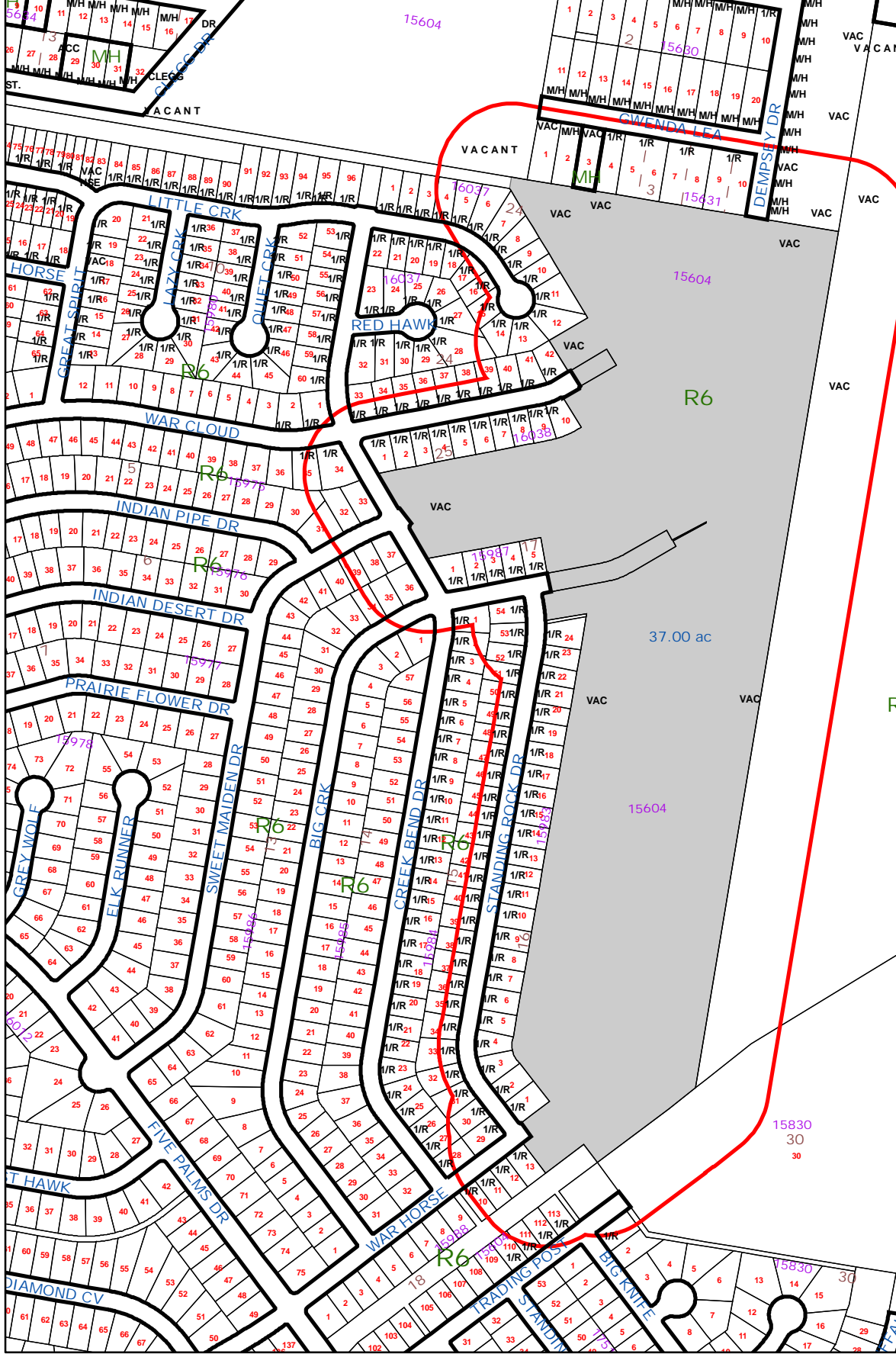
The Zoning Commission previously heard this case in January of 2004 (Z2004022). Zoning staff recommended denial due to traffic concerns. The case was withdrawn. These concerns have been addressed by extending Big Creek and eventually connecting to Ray Ellison Boulevard.

CASE MANAGER : Robin Stover 207-7945

143 Notices Mailed

— In Opposition

— In Favor



ZONING CASE: **Z2005-180**

City Council District No. 4

Requested Zoning Change

From "R-6" To "R-5"

Date: September 06, 2005

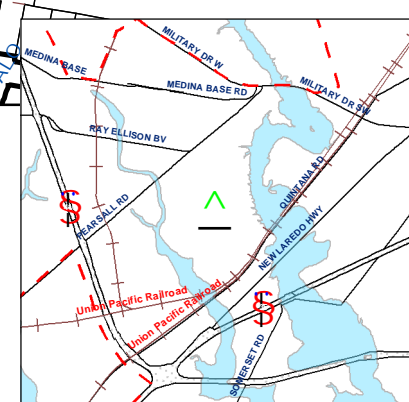
Scale: 1" = 400'

Subject Property

200' Notification



C:\Aug_2_2005



CASE NO: Z2005191 S

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 9

Ferguson Map: 482 E8

Applicant Name:

Texas Shine Express, LLC

Owner Name:

Shops of Stone Oak, LP

Zoning Request: From "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with Specific Use Permit for a Car Wash.

Property Location: 1.0958 acres out of NCB 19223

19000 Block of Huebner Road

Northside of Huebner Road, west of Stone Oak Parkway

Proposal: Automatic car wash

Neigh. Assoc. Sonterra Property Owners Association, Inc. and Stone Oak Property Owners Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is required. A Level-1 Traffic Impact Analysis (TIA) was submitted and is currently under review.

Staff Recommendation:

Denial

The subject property is undeveloped and located on Huebner Road, a major thoroughfare. The subject property is adjacent to "C-2 ERZD" Commercial Edwards Recharge Zone District to the north (Shops of Stone Oak under construction), east (Walgreen Drug Store) and "MF-33 ERZD" Multi-Family Edwards Recharge Zone District to the west (The Villas Sonterra Apartments). The current "C-2" Commercial District is more appropriate considering the location and residential dwellings in close proximity. C-3 uses should be limited to the intersection of major thoroughfares. The site plan submitted indicates 5 foot landscape buffer along the west property line (260 feet). 5 feet is not adequate considering the adjacent multi-family dwellings.

Buffer Yards Requirements

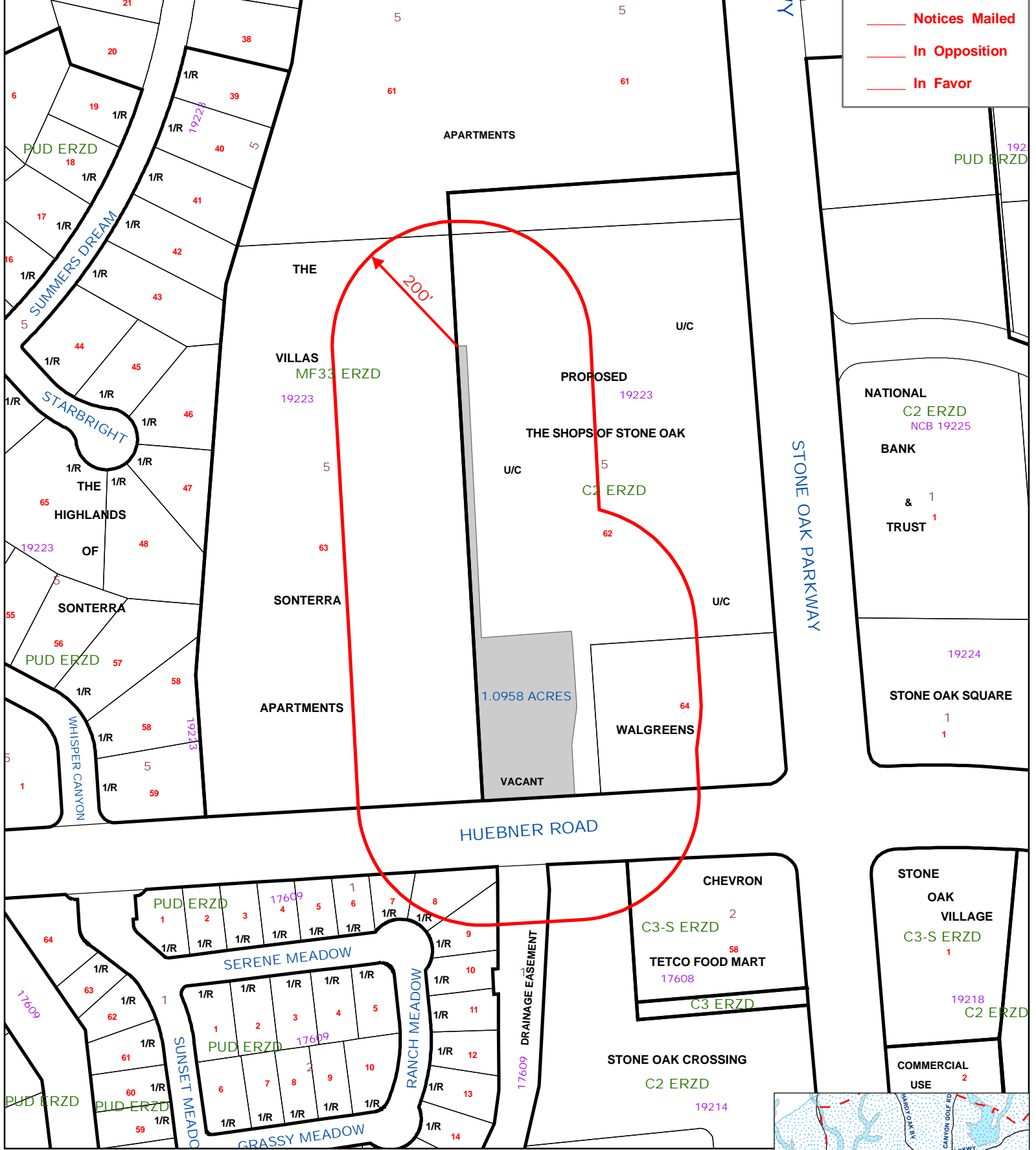
A proposed development zoned "C-2" Commercial District which adjoins an "MF-33" Multi-Family District is not required to provide a buffer yard. A proposed development zoned "C-3" General Commercial District which adjoins an "MF-33" Multi-Family District requires a Type "C" landscape buffer (15 feet). It is recommended that "C-3" uses permitted by Specific Use Authorization adhere to "C-3" landscape buffers.

Edwards Recharge Zone District Summary

1. SAWS recommends approval of the proposed land use.
2. This site is a Category 1 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 65%.

CASE MANAGER : Pedro Vega 207-7980

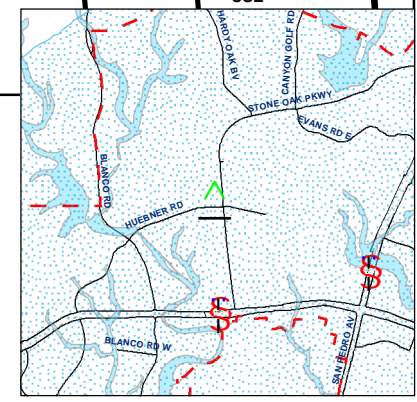
- Notices Mailed
- In Opposition
- In Favor



ZONING CASE: **Z2005-191 S**

City Council District No. 9
 Requested Zoning Change
 From "C-2" To "C-2 SUP"
 Date: September 6, 2005
 Scale: 1" = 200'

- Subject Property
- 200' Notification



SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

DEV. SERVICES
2005 AUG 24 3:19

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2005191 (Automatic Car Wash)

Date: August 23, 2005

SUMMARY

A request for a change in zoning has been made for an approximate 0.9233-acre tract located on the city's north side. A change in zoning from **C-2 ERZD** to **C-2 S ERZD** is being requested by the applicant, Texas Shine Express, LLC., by Mr. Douglas Schoenenberger. The change in zoning has been requested to allow for the operation of an automatic car wash. The property is classified as Category 1 property.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 9, at the northwest corner of Stone Oak Pkwy and Huebner Road. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from C-2 ERZD to C-2 S ERZD and will allow for the construction of an automatic car wash. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

2. Surrounding Land Uses:

A Walgreens is immediately east of the property. A multi-family residential subdivision abuts the property boundary on the west side. The property to the north is currently under construction. The property is bounded to the south by Huebner Road.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted a field observation on July 28, 2005 of the referenced property to access the geologic conditions and evaluate any environmental concerns preset at the site. SAWS staff Geologist, Joan Falkenberg, P.G., was present during the field evaluation and observed no sensitive recharge features on the site. Using the U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Dolomitic Member of the Edwards Group. The Dolomitic Member is characterized as generally porous and relatively permeable limestone. It is generally 110-130 feet thick in full section.¹ The site had soil coverage on most of the tract and several outcrops of bedrock were present. Staging and dumping of construction material from the adjacent site was observed. According to FEMA Flood Insurance Maps, no part of the subject property is within the 100 – year floodplain.

4. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

1. Standard Pollution/Abatement Concerns:

- A. All wash water should be contained within the car wash process area and gray water should not be allowed to drain off site.
- B. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
- C. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

¹ William G. Stein and George B. Ozuna, U.S. Geologic Survey Water Resources Investigations Report 95 - 4030, Austin, TX, 1996, p. 7

Site Specific

1. The impervious cover shall not exceed 65% on the site.
2. All wash water must be recycled or the proper permits obtained to allow for the discharge of wash water to the sanitary sewer system.
3. Sand interceptors shall be installed in the drainage systems of the following establishments: garages, car washes, service stations, or any place of business where heavy solids or solids greater than ½ inch may be introduced into then sanitary sewer system. The sizing criteria for a sand interceptor shall be based on the required GPM X 12-minute retention times to obtain the tank size in gallon capacity or as amended in the Unified Plumbing Code.²
4. The owner should participate in the volunteer SAWS Commercial Car Wash Conservation Program that requires a participant to recycle at least 50% of all used water.
5. All water pollution abatement structures shall be properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
6. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing groundwater pollution, A Practical Guide to Pest Control, available form the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
7. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.
8. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

² Unified Plumbing Code, 2003

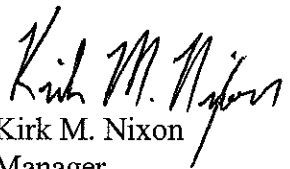
General

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. The land uses within the C-2 S ERZD zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
4. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
5. The owner/operator shall maintain and submit a Chemical Spill Prevention Plan to the San Antonio Water System (SAWS) for review and approval. The Chemical Spill Prevention Plan shall include, but is not limited to the following provisions:
 - A. A complete list, including Material Safety Data Sheets (MSDS), of all chemicals to be stored on the site. The list must include the maximum amount of each chemical kept on site at any time;
 - B. Procedures for promptly and properly cleaning any chemical leaks or spills;
 - C. Procedures for the proper disposal of any contaminated materials.


- D. Procedures for preventing any spilled chemicals from leaving the storage area(s).
 - E. All chemical storage areas shall be constructed with a depressed floor to contain and assist the cleanup of any spilled chemicals.
 - F. The storage, handling, use and disposal of all hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
6. If a water quality basin is constructed on the property, the following is required:
- A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.
 - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
7. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by recognized authorities such as the Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.
8. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.

9. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.


Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:


Scott R. Halty
Director
Resource Protection & Compliance Department

KMN:MJB

CASE NO: Z2005195

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Zoning Commission continuance from August 16, 2005

Council District: 10

Ferguson Map: 584 A1

Applicant Name:

Marmom Mok, L. L. P.

Owner Name:

Oakwell Physicians, Ltd.

Zoning Request: From "C-1" Light Commercial District to "C-2" Commercial District.

Property Location: Lot 5, Block 9, NCB 173016

3338 Oakwell Court

Eastside of Oakwell Court between Oakwell Farms Parkway and Harry Wurzbach Road

Proposal: Two story medical office building

Neigh. Assoc. Oakwell Farms Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required, but may be required at building permit level.

Staff Recommendation:

Approval

The subject property is currently undeveloped. The subject property is adjacent to "C-2" Commercial District to the north (Assisted Living Community), across the street to the west (The Villas at Oakwell Farms Apartments Homes) and "C-1" Light Commercial District to the south (BakerRisk Office Building and Patricia's Day Spa). The subject property is separated from a single-family neighborhood to the east by a drainage easement. The "C-2" Commercial District would be appropriate at this location.

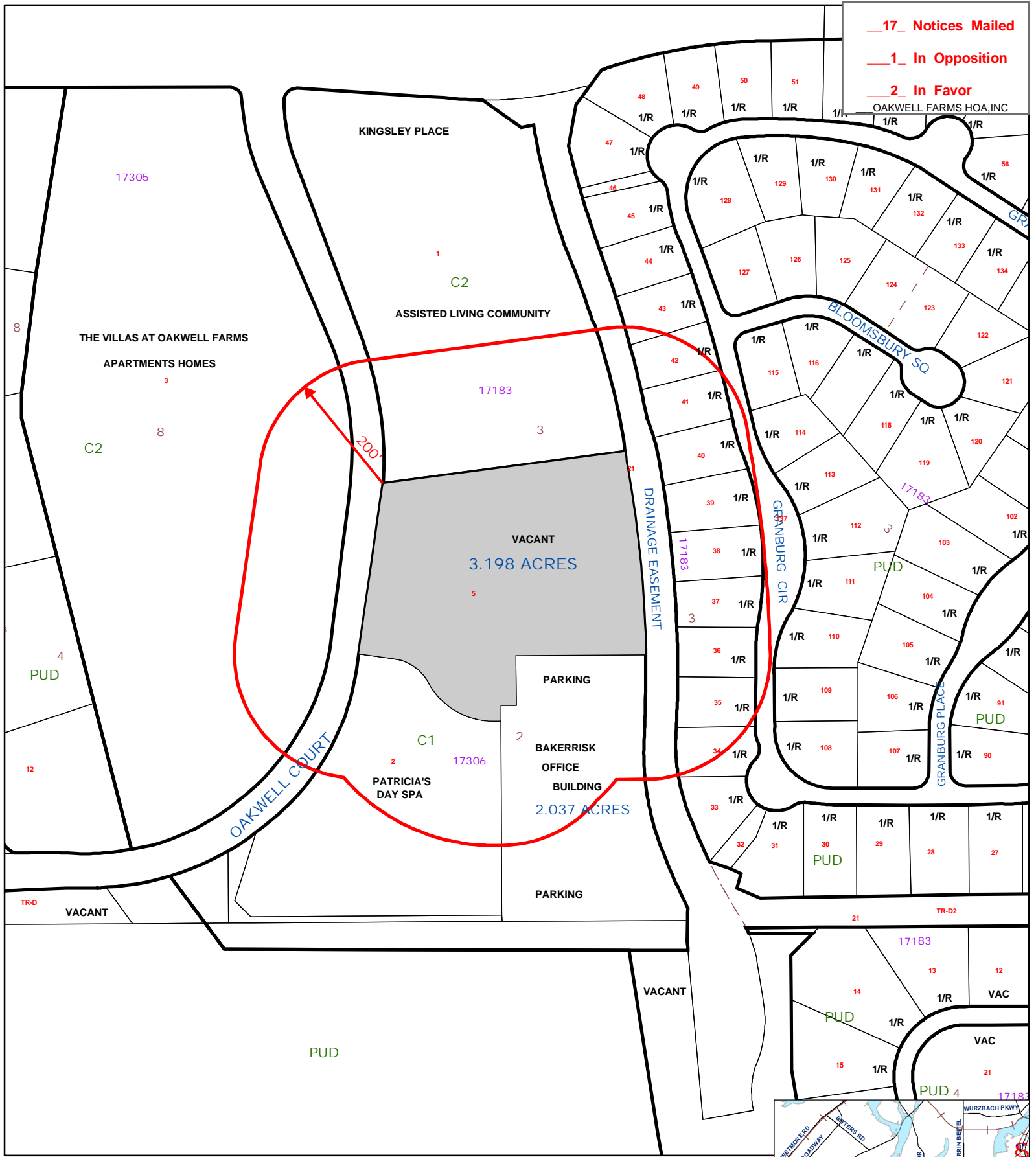
CASE MANAGER : Pedro Vega 207-7980

17 Notices Mailed

1 In Opposition

2 In Favor

OAKWELL FARMS HOA, INC



ZONING CASE: Z2005-195

City Council District No. 10

Requested Zoning Change

From: "C-1" To "C-2"

Date: September 6, 2005

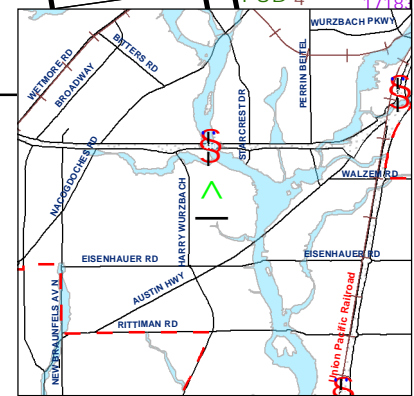
Scale: 1" = 200'

Subject Property

200' Notification



C:\Aug_2_2005



CASE NO: Z2005196

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 3

Ferguson Map: 682 D4

Applicant Name:

Ismail Sulieman

Owner Name:

Ismail Sulieman

Zoning Request: From "R-4" Residential Single-Family District to "C-3" General Commercial District.

Property Location: 2.50 acres out of NCB 11156

The Northeast corner of the intersection of Southeast Loop 410 Access Road and Pleasanton Road

4500 Block of Pleasanton Road

Proposal: To allow for a hotel/restaurant and a convenience store

Neigh. Assoc. Kingsborough Ridge Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required, but may be required at plat or building permit level.

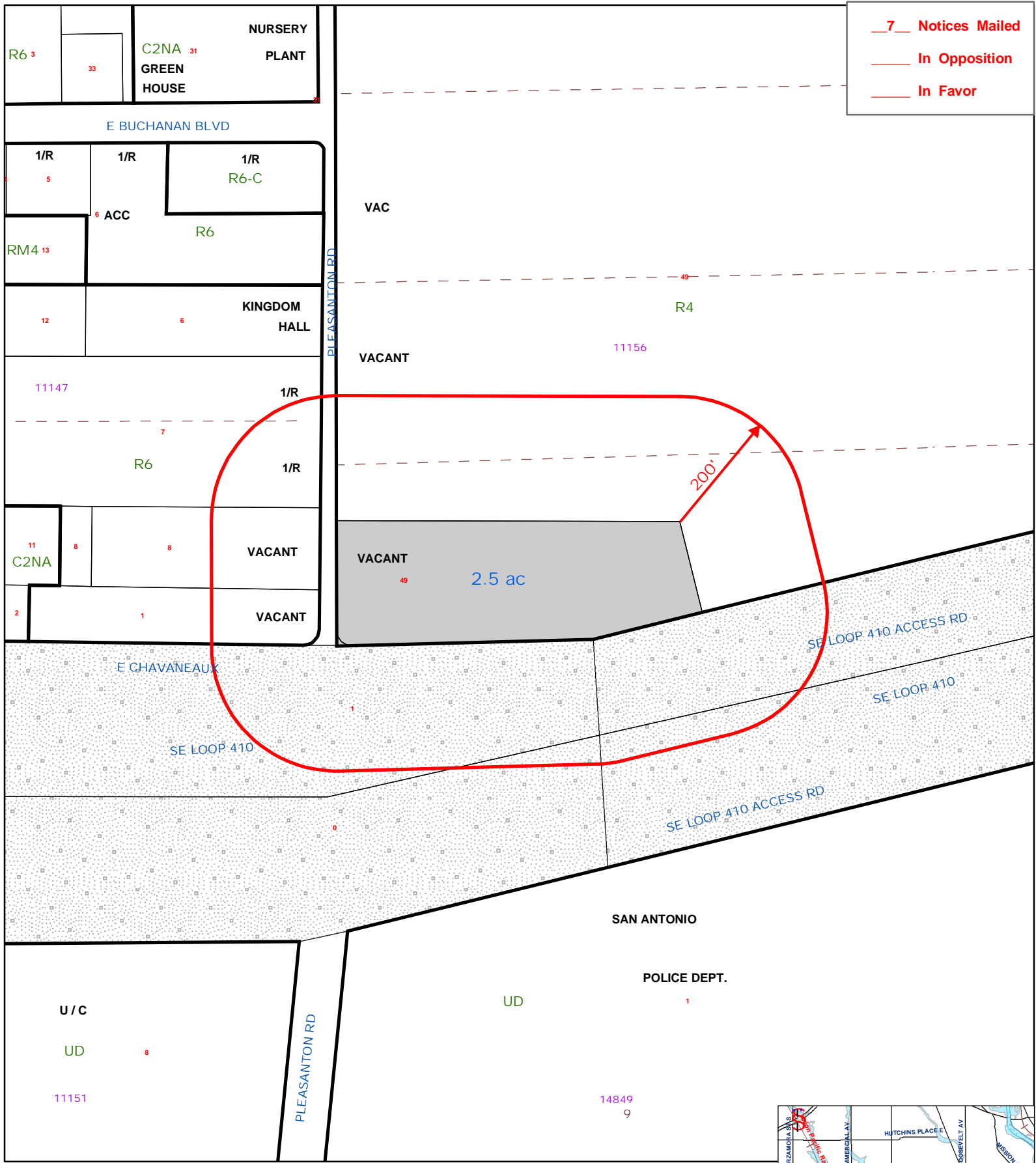
Staff Recommendation:

Denial.

The subject property is currently undeveloped and located on Pleasanton Road and the Southeast Loop 410 Access Road. The property to the west, north, and east is presently zoned for single-family residential development. Established single-family dwellings are located northwest of the subject property. "C-3" General Commercial Districts are intended for intense commercial uses such as community and regional shopping centers. Currently there is no transition between the existing residential zoning and the proposed commercial zoning. "C-3" would be appropriate at this location if a plan was established for the remainder of the property demonstrating a transition between the commercial and residential districts. Furthermore, commercial districts are recommended along major arterials. Therefore proposed zoning district would not be appropriate at this location.

CASE MANAGER : Robin Stover 207-7945

7 Notices Mailed
 _____ In Opposition
 _____ In Favor



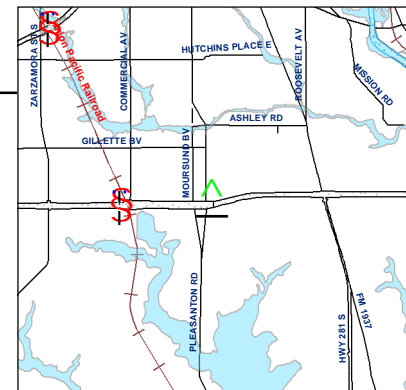
ZONING CASE: Z2005-196

City Council District No. 3
Requested Zoning Change
From "R-4" To "C-3"
Date: September 6, 2005
Scale: 1" = 200'

Subject Property
 200' Notification



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CASE NO: Z2005197

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 7

Ferguson Map: 580 D7

Applicant Name:

Ingroup, Inc.

Owner Name:

Ingroup, Inc.

Zoning Request: From "C-2" Commercial District to "R-5" Residential Single-Family District.

Property Location: Lot 1 and Lot 2, Block 1, NCB 16111

5500 Block of Ingram Road

Southeast corner of Ingram Road and Wheatfield Road

Proposal: Residential development

Neigh. Assoc. None-Ingram Hills Neighborhood Association (within 200 feet)

Neigh. Plan None

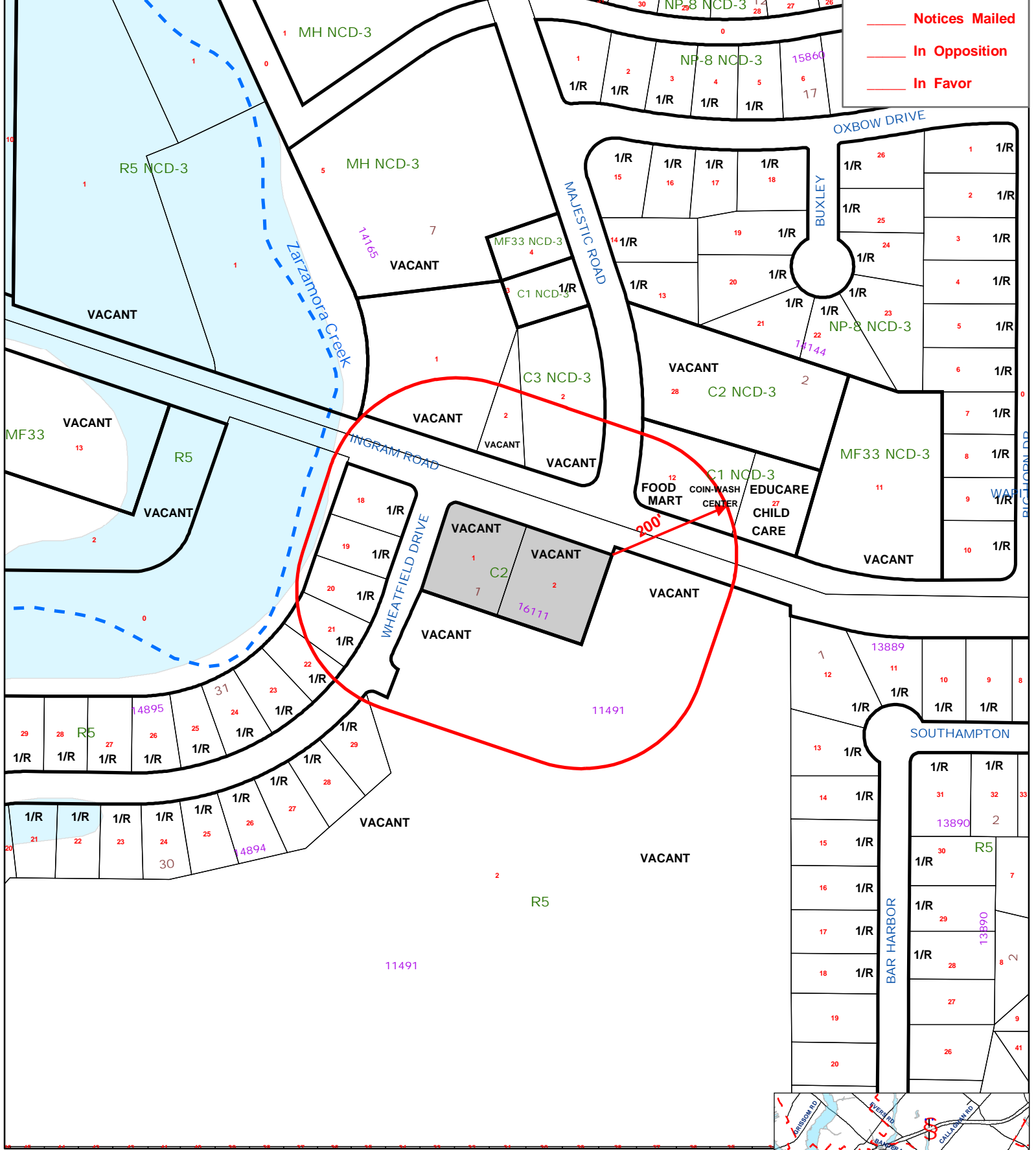
TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Approval



The subject property is currently undeveloped. The proposed "R-5" Residential Single-Family District is a downzoning from the existing "C-2" Commercial District. The subject property is adjacent to "R-5" Residential Single-Family District to the east, south and across the street to the west. Single-family residences are currently to the west. The "R-5" Residential Single-Family District would be appropriate at this location.

CASE MANAGER : Pedro Vega 207-7980

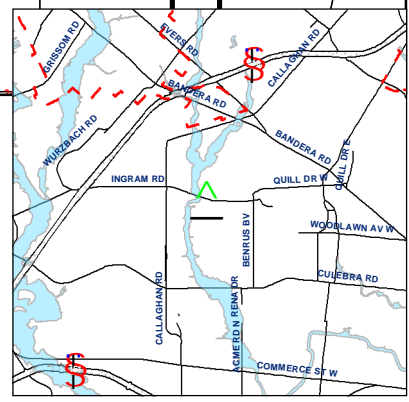


ZONING CASE: Z2005-197

City Council District No. 7
Requested Zoning Change
From "C-2" To "R-5"
Date: September 6, 2005
Scale: 1" = 200'

 **Subject Property**
 **200' Notification**


C:\Sept_6_2005



CASE NO: Z2005199

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 1

Ferguson Map: 616 A1

Applicant Name:

Jorge Garcia

Owner Name:

Jorge Garcia

Zoning Request: From "C-2" Commercial District to "C-3" General Commercial District.

Property Location: The south 86.55 feet of Lots 1 and 2, Block 11, NCB 2071

1705 North Elmendorf

The northwest corner of Culebra Road and Elmendorf

Proposal: For auto repair and an auto sales lot

Neigh. Assoc. Prospect Hill Neighborhood Association

Neigh. Plan Near Northwest Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Inconsistent

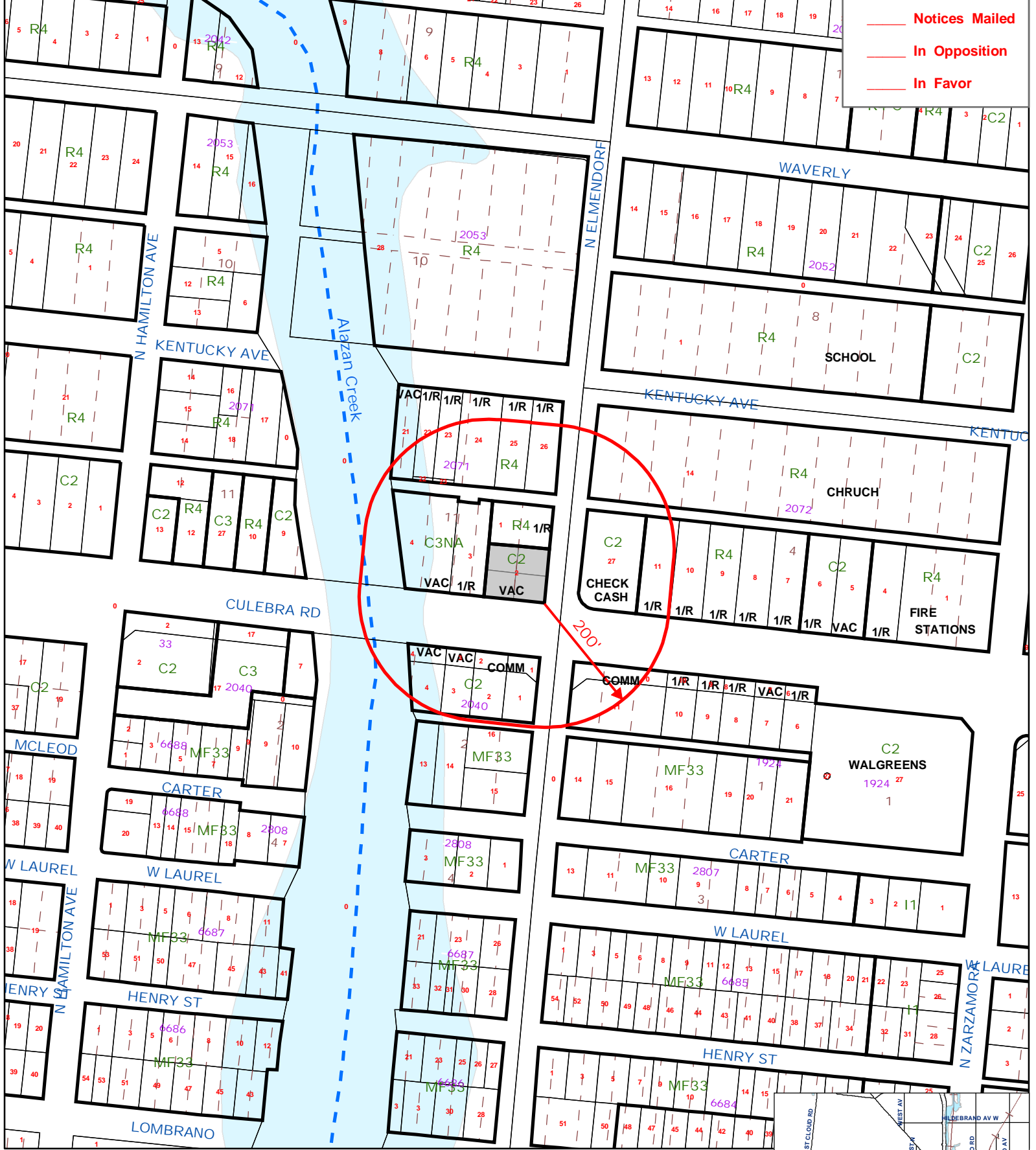
The Near Northwest Community Plan recommends medium density residential at this location.

Denial

The site is presently zoned "C-2" Commercial. The site is undeveloped and has existing "C-2" to the east and south. There is an existing residence to the north which is zoned "R-4". The property to the west is currently zoned "C-3NA" which is not compatible with the surrounding area. It is not recommended that the existing "C-3NA" be expanded to include this property. "C-3" uses should be limited to the intersections of major thoroughfares and/or intersections which are designed to withstand the impact of traffic caused by such intense uses. The property is limited in size and may not be feasible for development of "C-3" uses. The existing "C-2" provides many opportunities for development that will better serve the surrounding neighborhood.

CASE MANAGER : Fred Kaiser 207-7942

— Notices Mailed
— In Opposition
— In Favor

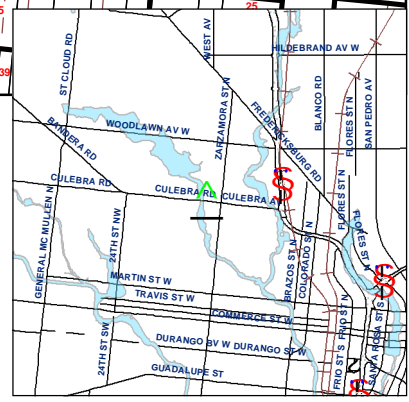


ZONING CASE: **Z2005-199**

City Council District No. 1
 Requested Zoning Change
 From "C-2" To "C-3"
 Date: September 6, 2005
 Scale: 1" = 200'

Subject Property
○ 200' Notification

C:\Sept_6_2005



CASE NO: Z2005200

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 5

Ferguson Map: 615 F5

Applicant Name:

Carlos Rodriguez

Owner Name:

Carlos Rodriguez

Zoning Request: From "R-4" Residential Single-Family District to "MF-25" Multi-Family District.

Property Location: Lots 12 and 13, NCB 8355

3120 West Durango Boulevard

Located approximately 200 feet west of the intersection of West Durango and South Hamilton Avenue

Proposal: To develop a 5 unit apartment

Neigh. Assoc. Prospect Hill Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial.

The subject property is currently undeveloped and surrounded by single-family homes to the north, south, east and west. It is surrounded by "R-4" Single-Family zoning to the south, east and west and "MF-33" Multi-family District to the south.

On March 27, 2003, City Council approved the rezoning of a large area north of the subject property in Prospect Hill (north of Commerce) to Single-family residential. That area was zoned for Multi-family, Industrial and Commercial. The rezoning of this area was conducted because of the single-family characteristic of the neighborhood and to prevent the development of incompatible land uses, such as multi-family. The rezoning of this area was also supported by the Prospect Hill Neighborhood Association. Properties south of West Durango were already zoned appropriately, therefore was not included in the large area rezoning. Due to the efforts done to maintain the single-family characteristic of this neighborhood, staff recommends keeping the "R-4" Single-Family zoning for this property to encourage compatible development. The proposed zoning is not consistent with the development pattern of this area and the proposed density of a five unit complex is not appropriate for this neighborhood.

CASE MANAGER : Judy Eguez 207-7442

[illegible]

**City Council District No. 5
Requested Zoning Change
From "R-4" To "MF-25"
Date: September 6, 2005
Scale: 1" = 200'**

200' Notification



C:\Sept 6 2005



CASE NO: Z2005201

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 2

Ferguson Map: 617 B6

Applicant Name:

Friedrich Lofts, Ltd.

Owner Name:

Friedrich Lofts, Ltd.

Zoning Request: From (HS) "I-1" Historic, Significant, General Industrial District to (HS) "IDZ" Historic, Significant, Infill Development District.

Property Location: 5.731 acres out of NCB 593 and 595

1617 and 1631 East Commerce Street

Bound by Gibbs Street, North Pine Street, East Commerce Street, and North Olive Street

Proposal: To develop a mixed-use building

Neigh. Assoc. Dignowity Hill Neighborhood Association and Nevada Street Neighborhood Association (within 200 feet)

Neigh. Plan Downtown Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required for the "IDZ" Infill Development Zone Districts.

Staff Recommendation:

Consistent

The Downtown Neighborhood Plan recommends education-arts-medical mixed-use district with mid-rise, 5 stories, and a maximum of 50 units/acre on Commerce Street.

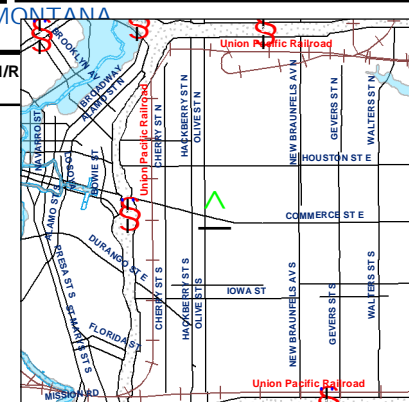
Approval

There is a warehouse building currently situated on the subject property. The building is partially utilized for office space and parking. The remainder of the building is vacant. The properties to the south located on Commerce Street are primarily commercial, while the property to the east is a cemetery. The Carver School and Community Center are located to the west. The property to the north is undeveloped and zoned for residential mixed and industrial.

The applicant has applied for "IDZ" Infill Development Zone District in order to create a mixed-use community. This zoning district would allow for uses permitted in residential, office, neighborhood commercial, commercial, and downtown districts. "IDZ" districts are intended to provide a more flexible approach to the development of infill projects. The current code requirements could make the redevelopment of this structure difficult due to the nature of the existing property. The "IDZ" district would not require the development to adhere to several standards such as setback requirements, parking, parks and open space, or buffer requirements. The Master Plan encourages the development of mixed-use communities as well as infill development in Downtown San Antonio.

CASE MANAGER : Robin Stover 207-7945

In Favor



**City Council District No. 2
Requested Zoning Change
From (HS) "I-1" To (HS) "IDZ"
Date: September 6, 2005
Scale: 1" = 200'**

 **200' Notification**



C:\Sept 6 2005

CASE NO: Z2005202

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 5

Ferguson Map: 615 A, B, and C-4

Applicant Name:

City of San Antonio

Owner Name:

Multiple Property Owners

Zoning Request: From "I-1" General Industrial District and "MF-33" Multi-Family District to "R-6" Residential Single-Family District, "R-6" S Residential Single-Family District with a Specific Use Permit for a Wireless Communication Tower, "MF-25" Multi-Family District, "C-1" Light Commercial District, "C-1" C Light Commercial District with a Conditional Use for Light Auto and Truck Repair, "C-1" C Light Commercial District with a Conditional Use for a Sound and Recording Studio, "C-1" S Light Commercial District with a Special Use Permit for a Bar/Tavern, "C-2" Commercial District, "C-2" S with a Special Use Permit for a Reception Hall/ Meeting Facility, "C-3" General Commercial District, "C-3" S General Commercial District with a Specific Use Permit for Auto Paint and Body, and "C-3" C General Commercial District with a Conditional Use for an Outdoor Flea Market.

Property Location: 4935 through 5719 West Commerce Street

Parcels on the north side of West Commerce Street, generally bound by N.W. 36th Street and San Felipe Street (as per exhibit map).

Proposal: To rezone properties primarily located on West Commerce Street, near Old Highway 90, to provide for the most appropriate zoning for the current land uses; thus protecting adjacent residences and current business owners from future non-conforming uses.

Neigh. Assoc. Memorial Heights Neighborhood Association. The Community Workers Council is within 200 feet.

Neigh. Plan None

TIA Statement: A traffic impact analysis is not required.

Staff Recommendation:

Approval.

Per direction from City Council, Staff has identified properties on West Commerce Street that are zoned "I-1" General Industrial District. Though these properties are zoned for industrial uses, they are used predominantly for residential and commercial purposes. Property owners made City Council aware of the difficulty they may have expanding and/or creating new residences and businesses due to their non-conforming status. This information prompted City Council to direct Staff to make the necessary recommendations to remedy this inconsistency.

Through the city's CDBG Rezoning Program, Staff has conducted a study of these properties and recommended a rezoning proposal that would be compatible with the current uses, while attempting to provide consistency with current and proposed adjacent zoning districts.

CASE NO: Z2005202

Final Staff Recommendation - Zoning Commission

Staff invited all property owners and neighborhood associations within 200 feet to the regularly scheduled meeting of the Memorial Heights Neighborhood Association on August 3, 2005 at the Memorial Branch Library. The proposed rezoning map was presented to the attendees, along with general information about the rezoning process.

The City Council approved a CDBG rezoning proposal for the abutting neighborhood to the north in early 2003. The predominantly single-family neighborhood was rezoned from "MF-33" Multi-Family District to "R-4", "R-5" and "R-6" Single-Family Residential Districts.

CASE MANAGER : Rudy Nino, Jr. 207-8389

CASE NO: Z2005203 CD

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 1

Ferguson Map: 616 C2

Applicant Name:

Victor Rayas

Owner Name:

Victor Rayas

Zoning Request: From "I-1" General Industrial District to "C-2P" (CD Auto Repair) Commercial Pedestrian District with a Conditional Use for Auto Repair.

Property Location: Lot 11, Block 44, NCB 350
233 East Fredericksburg Road

Proposal: For an auto repair & auto sales facility
Neigh. Assoc. Five Points Neighborhood Association

Neigh. Plan Five Points Strategic Implementation

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent with Five Points Strategic Implementation.

Approval.

An auto repair shop currently exists on the subject property. The property is surrounded by "C-2 P" Commercial Pedestrian District to the north and east, "I-1" General Industrial and "C-2 P" to the south and west.

Staff conducted a large area rezoning of this area to convert "I-1" zoning to "C-2 P" (or to a zoning designation that is appropriate and consistent with the Five Point Strategic Implementation proposed Land Use plan). City Council approved the rezoning on April 24, 2003. Staff's report proposed that the subject property be converted to "C-2 P", however, the property owner at that time strongly opposed this change and it remained "I-1".

The zoning designation of "C-2 P" (CD Auto Repair) Commercial Pedestrian District with a Conditional Use for an Auto Repair shop would be appropriate at this location..

CASE MANAGER : Judy Equez 207-7442

CASE NO: Z2005204

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 10

Ferguson Map: 583 E2

Applicant Name:

City of San Antonio

Owner Name:

Multiple Owners

Zoning Request: From "R-4" and "R-5" Residential Single-Family Districts and "MF-33" Multi-Family District to "NP-8" and "NP-10" Neighborhood Preservation Districts as per Exhibit map

Property Location:

Bounded by Harry Wurzbach to the east, Eisenhower Road the south, Broadway to the west, and Loop 410 to the North

Proposal: Rezone those properties that are incompatible with the current zoning

Neigh. Assoc. The Oaks Owners Assn., Inc., Hampshire House Condominiums, Oak Park Northwood, Terrell Heights, Dijon Heights and Oakwell Farms Neighborhood Associations

Neigh. Plan Northeast Inner Loop Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

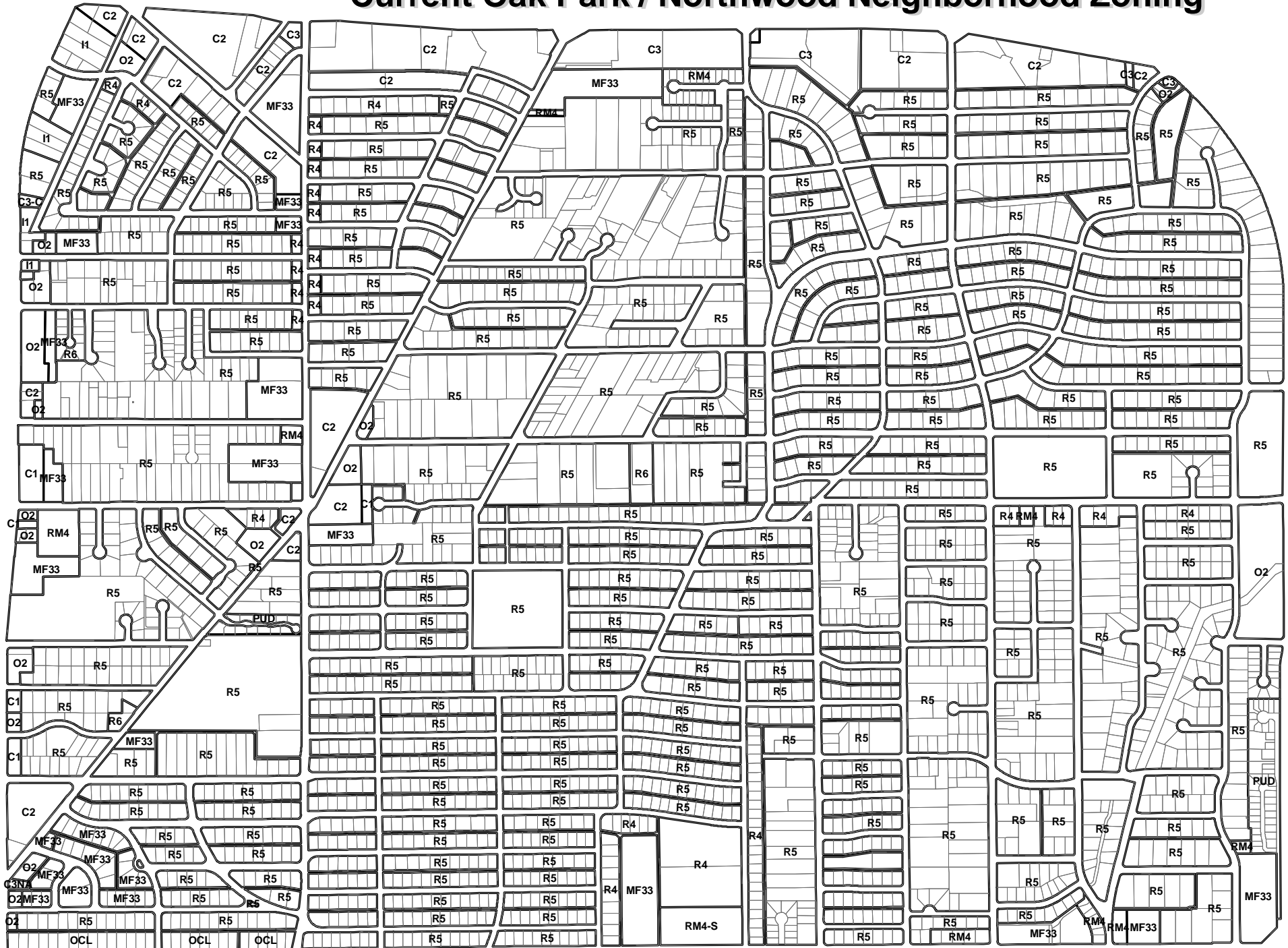
Consistent

The request conforms to the land use plan.

Approval. The properties in this area are predominantly zoned "R-5" Residential Single-Family District. "R-5" zoning permits single-family dwellings, with a minimum lot size of 5,000 square feet. The majority of lots in the neighborhood exceed 5,000 square feet. In order to maintain the character of the neighborhood, it is requested that only the properties zoned residential be rezoned to "NP-8" and "NP-10" Neighborhood Preservation District. "NP" Districts permit single-family dwellings with a minimum lot size of 8,000 and 10,000 square feet respectively. All commercial properties will maintain their current zoning.

CASE MANAGER : Richard Ramirez 207-5018

Current Oak Park / Northwood Neighborhood Zoning



N

Case No. Z2005204

Zoning Commission Date: September 6, 2005

CASE NO: Z2005205

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 4

Ferguson Map: 613 A6

Applicant Name:

Paul Bishop

Owner Name:

PRS Realty II, L.P.

Zoning Request: From "C-3R" Restrictive Commercial District to "RM-4" Mixed Residential District.

Property Location: 7.004 acres out of NCB18159

Southwest corner of Marbach Road and Hunt Lane

Proposal: To build residential duplexes

Neigh. Assoc. Adams Hill Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

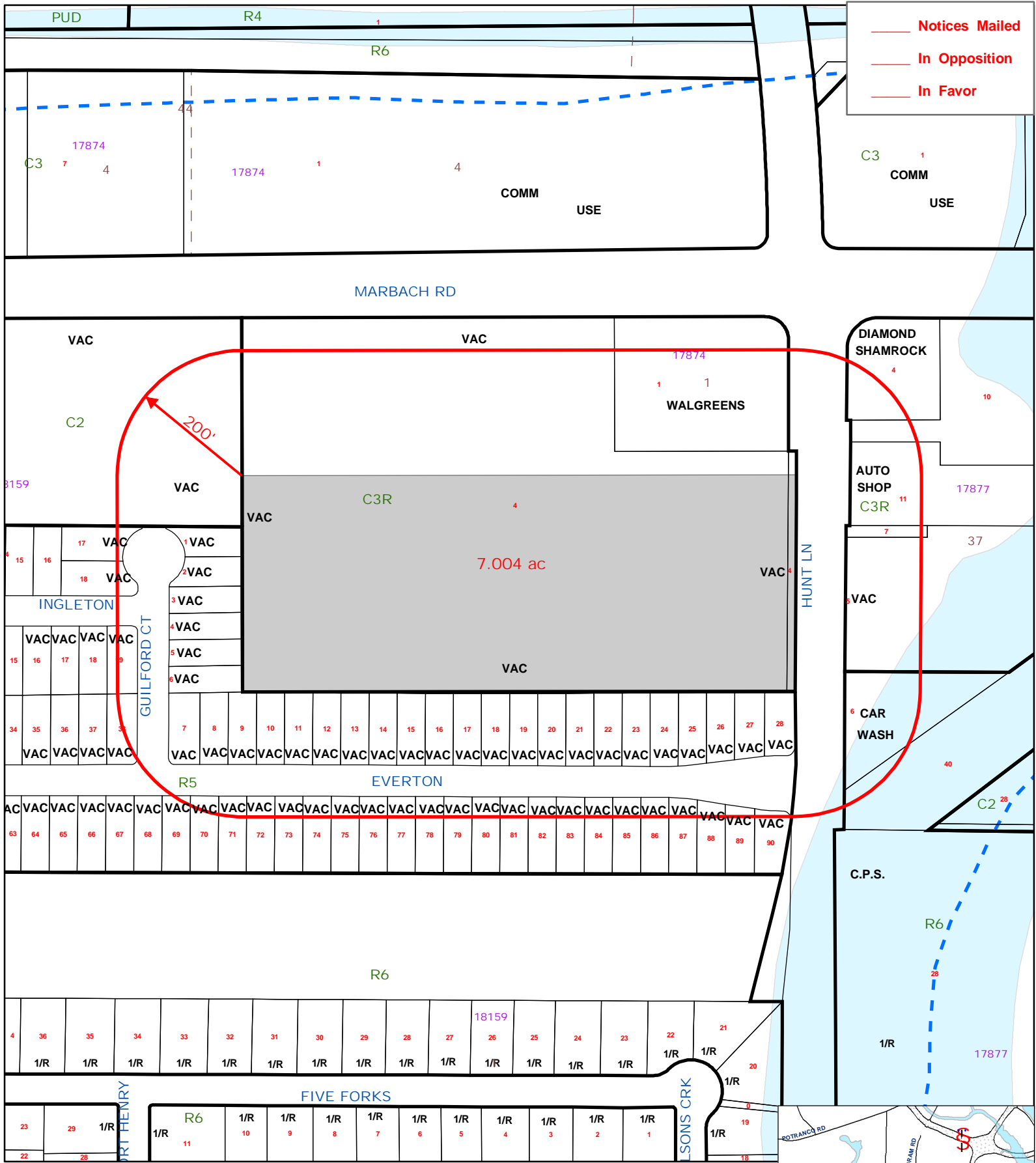
Staff Recommendation:

Approval

"RM-4" Residential Districts provide areas for medium to high-density single family residential uses mixed with a variety of housing types such as single-family, two-family and multi-family dwellings. The "RM-4" zone is the ideal zone for Duplex use on a long, narrow site with limited access. Duplexes are indicated on the submitted application as the preferred development type.

Note: The owner submitted a revised request amending his application from "MF-33" to "RM-4" on August 30, 2005.

CASE MANAGER : Fred Kaiser 207-7942



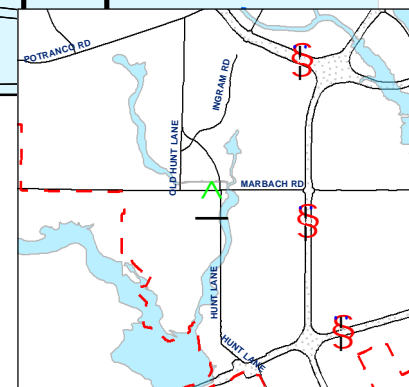
ZONING CASE: Z2005-205

City Council District No. 4
Requested Zoning Change
From "C-3R" To "RM-4"
Date: September 6, 2005
Scale: 1" = 200'

Subject Property
200' Notification



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CASE NO: Z2005206

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 9

Ferguson Map: 583 C1

Applicant Name:

Stuart Thomajan

Owner Name:

Stuart Thomajan

Zoning Request: From "R-5" Residential Single-Family District to PUD "R-5" Planned Unit Development Residential Single-Family District.

Property Location: 1.003 acres out of NCB 11889

234 East Sunset Road

West of the intersection of Sunset Court and East Sunset Road

Proposal: For PUD designation

Neigh. Assoc. Oak Park/Northwood Neighborhood Association

Neigh. Plan Northeast Inner Loop Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

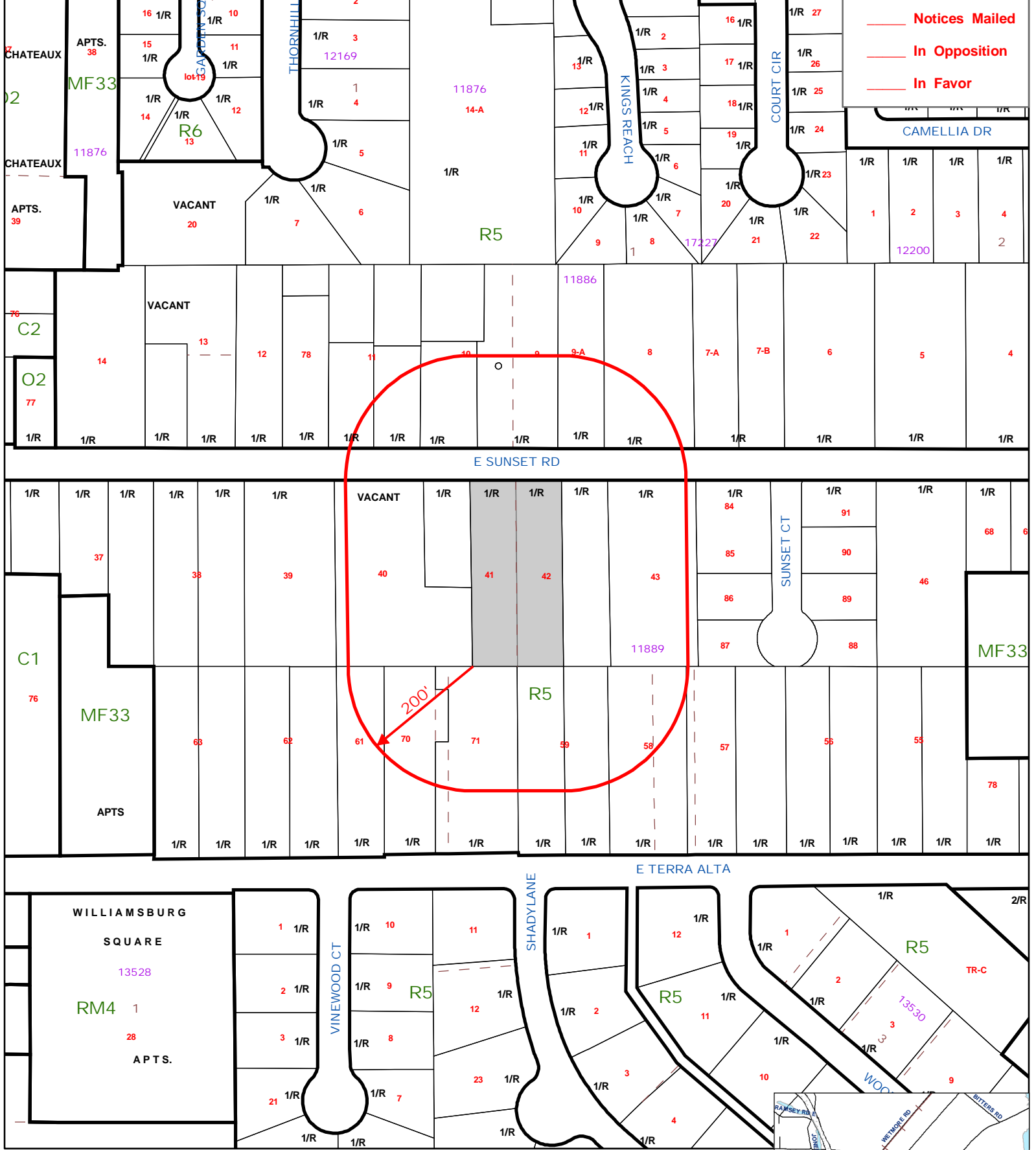
Consistent

The request conforms to the land use plan.

Approval

Currently there is a single-family residential unit located on the subject property. The surrounding properties are utilized for single-family residential units. PUD "R-5" would limit the density to 6 units per acre. The density permitted in PUD "R-5" is less than the current zoning, which would permit 9 units per acre. Higher density developments are encouraged within Loop 410.

CASE MANAGER : Robin Stover 207-7945



____ Notices Mailed
____ In Opposition
____ In Favor

CAMELLIA DR

E SUNSET RD

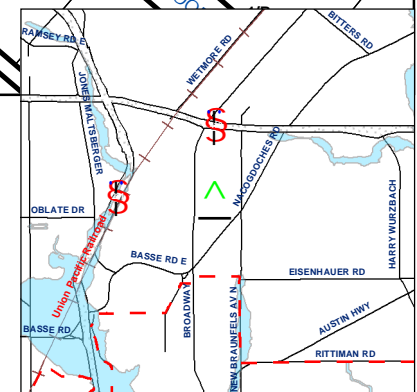
E TERRA ALTA

ZONING CASE: Z2005-206

City Council District No. 9
Requested Zoning Change
From "R-5" To PUD "R-5"
Date: September 6, 2005
Scale: 1" = 200'

Subject Property
200' Notification

C:\Sept_6_2005



CASE NO: Z2005207

Final Staff Recommendation - Zoning Commission

Date: September 06, 2005

Council District: 8

Ferguson Map: 548 C8

Applicant Name:

Trisun Healthcare

Owner Name:

Green Land Properties, Ltd.

Zoning Request: From "C-2" Commercial District to "MF-33" Multi-Family District.

Property Location: P-144, NCB 13665

South corner of the intersection of North Knoll and North Hollow

Proposal: To develop an assisted living facility (59,000 square feet, 144 beds)

Neigh. Assoc. Pheasant Creek and Apple Creek

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

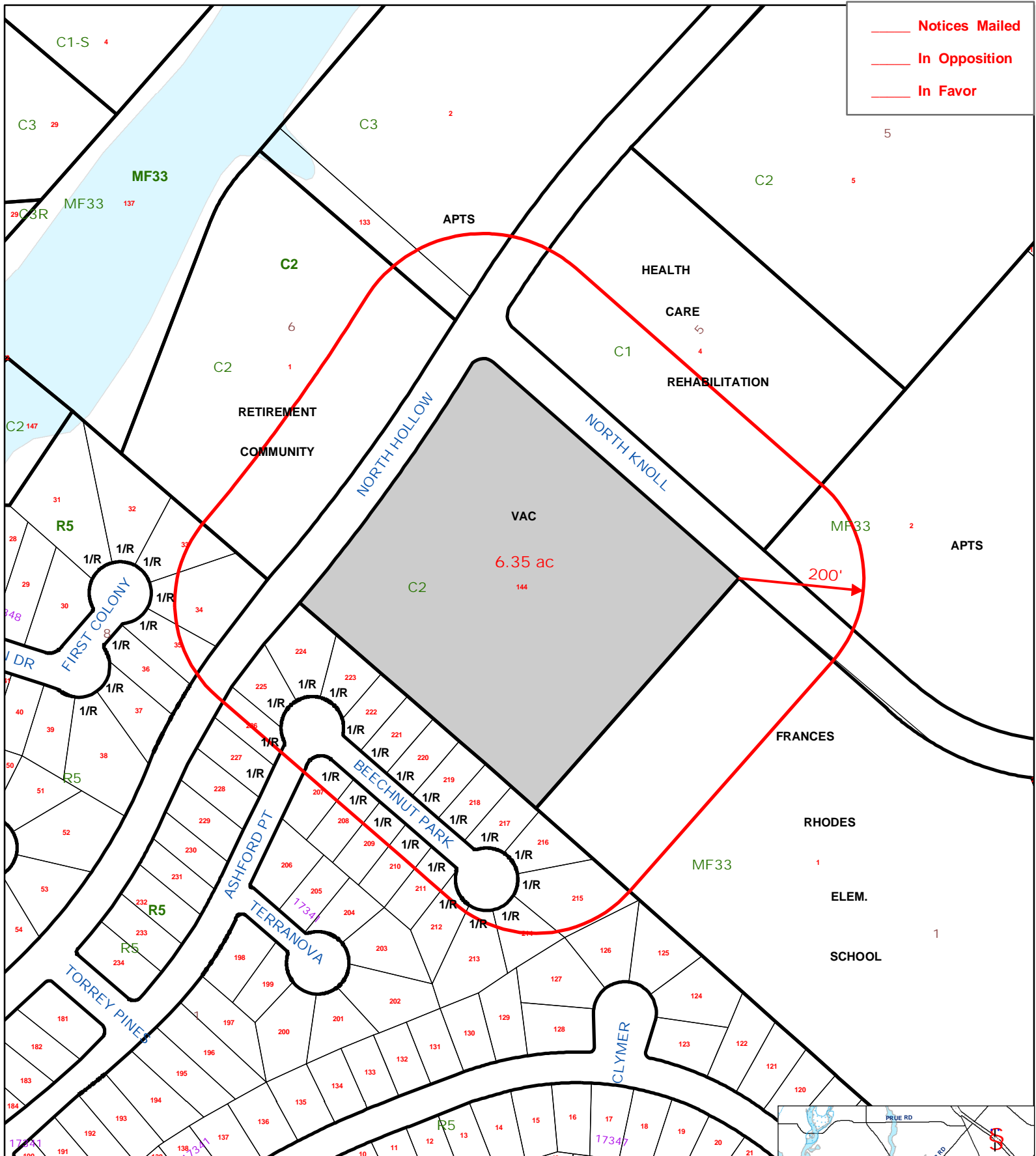
Staff Recommendation:

Approval.

The subject property is near an existing retirement community and health care rehabilitation center. The property is currently zoned "C-2" but would allow apartments per Section 35-D101 of the Unified Development Code (UDC) which permits apartments in areas previously zoned "B-2". The rezoning to "MF-33" has been requested to allow for an Assisted Living Facility. Multi-family is not necessarily more intense than the existing "C-2" and may be more appropriate considering the location of an elementary school adjacent to the eastern border of the subject property.

The subject property is approximately 6.35 acres. "MF-33" on this property could yield a maximum of 210 units. If there is concern regarding the potential density, "MF-25" is a viable option that would limit the potential units to 158 and would still allow for an Assisted Living Facility by-right.

CASE MANAGER : Trish Wallace 207-0215



—— Notices Mailed
—— In Opposition
—— In Favor

ZONING CASE: Z2005-207

City Council District No. 8
Requested Zoning Change
From "C-2" To "MF-33"
Date: September 6, 2005
Scale: 1" = 200'

■ Subject Property
○ 200' Notification



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